Bombay Gazette.

Vol. 38. WEDNESDAY, 28TH FEBRUARY, 1827. No. 1917.

BOMBAY, Amateur Theatre.

LAST NIGHT OF THE SEASON.

ON MONDAY EVENING NEXT
The 5th of March,
WILL BE REPRESENTED
Coleman's favourite Play (in 3 Acts)
OF THE
MOUNTAINEERS:
TO CONCLUDE WITH THE
LAUGHABLE FARCE OF
HONEST THIEVES.

DOORS to be opened at Six, and to begin at Seven o'clock *precisely.*

Dress Boxes.	Rs. 8
Pit.	„ 6
Upper Boxes.	„ 4
Gallery.	„ 2

Places and Tickets to be had at the Theatre on Saturday and Monday, at 10 o'clock.

ST. THOMAS'S CHURCH.

THE Venerable THE ARCDEACON will deliver a Catechetical LECTURE at St. Thomas's Church, on every Friday Evening during Lent, at seven o'clock.

A CARD.

T. FERRAR has received by the Brig Britannia, the following articles, which he will expose for sale at his Warehouse this day, for ready money.

Ladies fashionable Leghorn, Straw, and Satin Bonnets, richly trimmed; Children's Beaver, Straw, and Satin Hats, neatly trimmed; Plain and Figured Poplins; with trimmings to match; White Satin and Persian Satin, and Sarsnet Ribbons, Lace, Net, and Muslin Collars; Kid and Silk Gloves; Silk and Cotton Stockings; Children's Socks; very fine Welch Flannel; and an assortment of well selected Lace, Baby Linen &c.

N. B. Things taken away from the Shop cannot be be received back.

Cardiff Castle, 28th February 1827.

Messrs. Ranken & Saunders,

HAVE received by the BRITANNIA, Captain WALKER, a small consignment of Fresh White Champaigne, in 3 Dozen Cases, price 70 Rupees per Dozen, and of high flavoured Burgundy in 4 Dozen Cases at Rupees 75 per Dozen.

First and Second Growth Clarets, from Messrs. HARPER and BELL, by late arrivals.

BARSAC AND VIN DE GRAVE.

Bombay, 28th February, 1827.

A CARD,

MESSRS. GILDER DE SOUZA AND CO. beg to inform the Subscribers to Captain J. Grant Duff's Historical Work on the Mahrattas, that they have received by the Brig Britannia, Captain Walker, a supply of this work, and will thank them to direct their Agents to receive their Copies, and to discharge the cost of the same on delivery.

Bombay, 28*th February* 1827.

Advertisement.

BURJORJEE NANABHOY, the surviving PARTNER of the FIRM of KEMPT AND Co. earnestly and respectfully solicits that those Gentlemen who are indebted to the Concern, will have the goodness to arrange for an early adjustment of their accounts, as he is anxious to close them with the least possible delay, in order to obviate the loss or inconvenience the Interests of the Widow and Children of his late lamented PARTNER would otherwise suffer.

Bombay, 28th February, 1827.

Advertisement.

NUSSERWANJEE & RUTTONJEE MOST respectfully beg to announce to their Friends and Customers in general, that they have purchased an Investment, imported per Brig BRITTANNIA, Captain WALKER, recently arrived from Europe, and which they have this day exposed for Sale at their Shop in Appollo Street, oposite to Messrs. WOOLER and Co. consisting of the following articles viz. Salted Salmon, in large and small Jars, Red and Salt Herrings in Jars, Pickles in Cases, each containing 6 Bottles of sorts, Sauces of all kinds, Macaronie and Vermecillie, Confectionary of all kinds in Jars of three pounds each, Soda and Seidlitz powder in Bottles, Thomson's Cehltenham Salts, portable Pens in boxes, marking and Japan Ink, patent Shot, and children Toys of different kinds, and Traveller's Iron camp Cot with canvass lashing, and fitted up in a long case. Also they have received per French Ship, Musical Snuff Boxes of different patterns, Ladies work Boxes with Music, ladies gilt waist Buckles, French Plums, Brandy fruits, and children Toys of sorts.

Bombay 28*th February* 1827.

Advertisement.

JEHANGIER NUSSERWANJEE and Co. opposite the Government House, beg leave to inform their friends, and customers in general, that they have purchased Invoices of the Undermentioned prime and fresh articles per Brig Britannia Capt. Walker and exposed for Sale at their shop, vizt.

Boots and Shoes from John Stunt. Confectionary from Fingham and Co. Comprising of Raspberry, and Strawberry Jams, and Red Currant. Oilmans Stores, from James Stephenson and Co. Pine Cheeses, Salted Salmon, Red and Pickled Herrings Pickles, Sauces Assorted, Ketchup and Essence of Anchovies Italian Vermecilie, and Maccaronie, Seidlitz and Soda Powders in large Bottles, Thompson's Real Cheltenham Salts. Portable pens, Japan and Marking Ink, Patent Shot, and children Toys, and various other Shop Goods.

Bombay, 28*th February* 1827.

Higgs and Briggs

WILL SELL
BY AUCTION,
To-morrow the 1*st Proximo.*

A CASE of Fine Holland Tape and Bobbin, Cutlery, Ironmongery &c.

Lamps, Chests, Furniture, Teak Plank and Sundries, belonging to an Estate.

Meadows Street, 28*th February,* 1827.

Higgs and Briggs

WILL SELL
BY AUCTION
To-morrow the 1*st Proximo,*

HOUSEHOULD Furniture, Plate and Plated ware, Glassware, Books, and a variety of other articles, belonging to Families returned to Europe.

A new Plated Tea Pot, Sugar Bason, and Milk Pot with silver Edges.

AT ONE O'CLOCK
A CAPITAL ARAB
SADDLE HORSE.

Meadows Street, 28*th February* 1827.

Higgs and Briggs.

WILL SELL
BY AUCTION,
On SATURDAY next the 3*d Proximo,*
AT 3 O'CLOCK IN THE AFTERNOON,
ON THE PREMISES,
To the highest bidder
ALL THAT LARGE AND SUBSTANTIAL
PUCKA BUILT
DWELLING HOUSE,
AND
Godowns.

BELONGING to the Estate of the late Mr. MAHATASEE POGOS MAHATASEE ASTVASATOOR, deceased, situated in Rampart Row, between the Houses of Ritchie Steuart and Co., and Mr. Kervork.

CONDITIONS.

Twenty-five (25) per cent to be paid by the Purchaser at the time of Sale, and the remainder within eight (8) days; in default of which to be resold at his risk.

Bombay, 28*th February* 1827.

ફીગારા• તથા• ખીરીગારા *

આવતા•શનીશરવારને•દીને

તારીખ• 3 જી• આવતા•મહીનાં

નીફ• બપોરનાં• કલાક• 3 ઉપર• ઘેહેર• ફિક• મોટુ• તથા• વખારો• મજબુત• તથા• પાકી• બાંધણીનુ• તેજ•જગો•ઉપર•જાહેર•લીલાંઉ•કરીને•જે•વધુ•માંગણી•કરશે• તેનાંઓને•વેચશે•ફિ•મીલકત• મરનાર• મીરાતર• માણતા શી•પોગોશ•માણતાશી•મરાતા વા•શાતુરનીછે• અને•ફિ•મીલકત• રાંમપાતરો• મધે•મીશી મરશ•રી ચીજશતોમરની• કંમપની•તથા• મીશતર• કરવારકનાં• ઘેહેરોનાં• વચમાંછે *

ફિની• બોલી• ફિજે• ખરીદદારે•વેચાતુ•લીધા•પછી ૨૫ ટકા•રોકડા•આપે•અને•બા કીનાં•નાણાં• ૮ દાડામો• ભરે• ફિ• મુદતમો• નહી• ભરેતો• ફિ•મી લકત• પાછી•ખરીદદારનાં•જોખં મે• ફરીથી• વેચાશે *

તા• ૨૪ મી•ફેબરવારી ૧૮૨૭

Higgs and Briggs.

HAVE JUST RECEIVED
Per Brig Britannia,
A SUPPLY OF
VELNOS ORIGINAL
VEGETABLE SYRUP.
Concentrated for the East-Indies and other warm Climates.
PRICE PER BOTTLE
Rs, 20.

THE experience of Half a Century has proved this Medicine to be the most innocent and effectual Alterative. It corrects, purifies, and sweetens the Blood; and those who are afflicted with Scrofula, Leprosy, Scurvy, Scorbutic Eruptions, and many of those melancholy Diseases arising from impurity of the Blood and Juices; those who suffer for the Dissipations and Indiscretions of their Youth, or whose Constitutions are broken down and debilitated by Mercurial, Antimonial, or Arsenic Medicines, should submit to a regular Course of the Vegetable Syrup. The Effect of this Medicine, principally on the insensible Perspiration, is such as not to interrupt either Business or Pleasure; it operates on the Animal Juices, and requires only the common Restraints of Moderation in Diet. It is dissolved in the Chyle of the Stomach, is conveyed by the Circulating Fluids, and corrects their tendencies to all those Diseases which originate in vitiated Blood. It is a safe though a powerful Substitute for Mercury, and removes those Evils which an unsuccessful Use of that Mineral occasions.

Meadows Street, 28th February 1827

Higgs and Briggs

HAVE JUST RECEIVED
HAVE FOR SALE
ON COMMISSION
BENGAL
TABLE CLOTHS,

10 By 7 Feet each.	Rs. 10
26 By 7 Ditto.	26

Meadows Street, 28*th February* 1827.

Higgs and Briggs

HAVE JUST RECEIVED
FOR SALE
ON COMMISSION
THE
ORIENTAL HERALD.
FOR JULY
PRICE RUPEES 5.

A FEW Copies remain of the five preceding months.

Meadows Street, 28*th February* 1827.

Higgs and Briggs

HAVE JUST RECEIVED,
FOR SALE
ON COMMISSION,
A NEW
BUGGY,
NEATLY FINISHED
PRICE Rs, 1050

Meadows Street, 28*th February* 1827

Higgs and Briggs

WILL THIS DAY EXPOSE
FOR SALE
A CASE OF
Fashionable
TRIMMED
Bonnets.

IMPORTED per Brig BRITTANNIA consisting of Children and Ladies' Split Straw Bonnets, and Ladies' Leghorn and Florence Ditto.

Meadows Street, 28*th February* 1827.

Higgs and Briggs

HAVE FOR SALE
ON COMMISSION,
Infantry Officers
SHOULDER,
FROG BELTS.
PRICE Rs. 15 EACH

Meadows Street, 28*th February* 1827.

Higgs and Briggs

HAVE JUST RECEIVED
FOR SALE
ON COMMISSION
A DOUBLE BARRELLED
DETONATING
FOWLING PIECE.
BY MANTON.
PRICE Rs. 325.

Meadows Street, 28*th February,* 1827.

Higgs and Briggs

HAVE JUST EXPOSED
FOR SALE,
A Splended Set
OF BRASS MOUNTED
Carriage Harness.
PRICE Rs, 500.

Meadows Street, 28*th February* 1827.

Higgs and Briggs.

HAVE FOR SALE
ON COMMISSION
THAT DELIGHTFUL AIRY,

BUNGALOW,
SITUATED ON THE ESPLANADE.

FORMERLY the Residence of the late Lieut. Col. COWPER deceased, and now in the occupation of Capt. POUGET.

The Premises may be viewed and possession had immediately for further particulars apply to HIGGS AND BRIGGS.

Meadows Street, 28th February 1827.

For Freight or Passage

TO
LONDON.
THE BRIG

BRITANNIA.
OF 300 TONS
Thomas G. Walker.
COMMANERD,

TO SAIL on the 25th March. Has excellent accomodation for Passengers.—For particulars apply to Capt. WALKER on board or at the Office of Messrs. PATRICK STEWART AND CO.

Bombay, 28th February 1827.

Passage to the Clyde,

THE FINE FIRST CLASS BRIG
CATHERINE.
300 TONS,
Thomas Kincaid,
COMMANDER.

WILL be despatched about the 10th March and has still room for two Passengers.

Apply to the Commander on board or at the Office of Messrs. WM. NICOL AND CO.

Bombay, 28th February 1827.

IN THE SUPREME COURT OF JUDICATURE AT BOMBAY.

Sheriff's Sale.

Seized by virtue of a writ of Fiere Facias issued out of the Supreme Court of Judicature at Bombay at the suit of BALCRUSTNA WITTOJEE and GOPALL RAMCHUNDER WAGLO, trading under the Name and firm of BALCRUSTNA and GOPALL,
VERSUS
GEORGE HIGGS, of Bombay, Inhabitant.

NOTICE IS HEREBY GIVEN,

THAT on Friday the 2d day of March next, at 11 o'clock in the forenoon, will be put up to sale by Public Outcry, on the Premises, one Oart with a Dwelling House, Garden, five ranges of Stables, one Cammettee Shed, one piece of vacant Ground, and one Stable without the ground, all lying without the Town Walls, at Pallow Road, and in the neighbourhood of an Oart belonging to HORMOSJEE BOMANJEE, the property of the said Defendant.

F. LEGGETT,
Deputy Sheriff,
for
H. WILLIS,
Late Sheriff.

BOMBAY SHERIFF'S OFFICE,
23d February, 1827.

SUPREME COURT.

ATMARAM BALLAJEE.....*Plaintiff,*
VERSUS
MAMEN MAHOMED CASSUM VUNGURAH, } ....*Defendant.*

NOTICE IS HEREBY GIVEN,

THAT on Thursday the 1st day of March instant, at 3 o'clock in the afternoon, will be put up to Sale, on the Premises, the undermentioned Houses, under and by virtue of two writs of *Fiere Facias* issued out of the Supreme Court of Judicature at Bombay, at the suit of the abovenamed Plaintiff, and the property of the said Defendant, viz.

One large Dwelling House, covered with tiles and built with chunam and stone walls, situated without the Town Walls of Bombay in Mamon Wadah Street, and in the neighbourhood of a house belonging to Arrab Cammaney Mamon.

One ditto ditto situated at ditto, and in the neighbourhood of a house belonging to Mahomed Essack.

F. LEGGETT,
Deputy Sheriff,
for
H. WILLIS,
Late Sheriff.

BOMBAY SHERIFF'S OFFICE,
23d February, 1827.

Advertisement.

APPLICATION having been made to the Supreme Court of Judicature at Bombay, that Letters of Administration of all and Singular the Goods, and Chattels, Rights and Credits, of GUNGADHUR BUCHAJEE PAREDKER, late of Bombay Bramin, deceased be granted to ESSWADABOYE, the Widow of the said deceased, all persons concerned therein are hereby apprized thereof.—Dated the 20th day of February 1827.

T. W. BROWN.
PROCTOR.

જાહેર • ખબર *

મરનાર• ગંગાધર• ભયાજી• પારેખ૨• શ્રી•મુમ્બઇનો•રેવા શી•બ૨ામણ• ફિ•ધણીનાં•માલ• મીલકતનુ•મ્રખતીઆરનાંમુ•લેવા શા૨ું• શ્રી•મુમ્બઇની•જુડીકેટર ની•શ્રૂપરીમ•કોરટમો•ફિ•મરના ૨ની•વીધવા•નામે•ફિશવાદાખા લ્ફિ• મ૨જ•કીધીછેજે• મહનેમ લે• ફિવાશતે•શ૨વે•લોકો•ફેનાં• વાધ્યેશતા•ફોફિ•તેનાંવોને•જાહે ૨•થાફિ *

તા• ૨• મી•ફેબ૨વા૨ી ૧૮૨૭

ટી•ડબલીઉ•બ૨ોન•
કોરટનો•વકીલ•

FOR SALE
AT THE
GAZETTE OFFICE,

BLANK Bills of Exchange, Powers of Attorney, Interest and Respondentia Bonds, Policies of Insurances, Bills of Lading, &c. &c.

Bombay, 28ht February 1827.

GENERAL ORDERS.

BOMBAY CASTLE, 15TH FEBRUARY 1827.

By the Hon'ble the Governor in Council.

No. 59 of 1827.—Lieutenant J. T. Foster, of the 15th Regiment Native Infantry, is appointed to the situation of Quarter Master and Interpreter in the Hindoostanee Language, to the Marine Battalion, from the date of the departure of Lieutenant R. Phillips for Europe.

No. 60 of 1827.—The Hon'ble the Governor in Council is pleased to permit Lieutenant Colonel Commandant Hessman, commanding the Presidency Division of the Army, to proceed to the Cape of Good Hope, via St. Helena, for twelve months, for the benefit of his health.

Bombay Castle, 16th February 1827.

No. 61 of 1827.—Lieutenant G. C. C. Rand, of the 8th Regiment Madras Native Infantry, is allowed a furlough to Europe, on sick certificate, for three years from the date of his embarkation.

No. 63 of 1827.—Doubts appearing to be entertained, whether the Magistrates of the several Zillahs under this Presidency are not bound to press Begaries for Travellers and detachments, it is hereby notified for public information, that they are strictly prohibited from any such proceeding, except in cases of obvious public exigency; and that all Political and Civil Officers will expose themselves to the serious displeasure of Government if they omit any means in their power to prevent the pressing of Begaries, unless on such occasions as those above noticed.

Bombay Castle, 16th February 1827.

No. 64 of 1827.—The furlough granted by the Government at Fort St. George to Lieutenant Colonel W. H. Stanly of the 13th Regiment Native Infantry, on the 22d of September last, is extended from the 14th to 31st ultimo.

Bombay Castle, 17th February 1827.

No. 65 of 1827.—Referring to the General order bearing date the 26th April 1825, (No. 152) the Governor in Council has much satisfaction in publishing, in General orders, the following extract of a despatch from the Honorable Court of Directors in the Military Department dated the 12th April 1826, granting, in addition to the prize property realized by the agents, the full valuation of all Boats captured and destroyed by the forces employed on the Expedition against the pirates in the Persian Gulph in 1819.

Political Dispatch dated 30th April 1825.

PARAS 2d a 7th. In carrying into effect the Royal warrant for grant of the Booty taken by the forces employed on the expedition against the Pirates in the Persian Gulph in 1819, doubts have arisen as to whether the value of Piratical vessels claimed by the captors, should, although the amount has not been realized, be considered as Booty payable by the Company.

PARA, 2d "We direct that the Captors shall be compensated for all the vessels which, having belonged to the Enemies, and captured from them, were either taken into the public service or given up, under the direction of the constituted authorities, to the Arab Chiefs our allies; and that all such vessels shall be considered as Booty within the meaning of His Majesty's Grant; but we think that those vessels which were not captured, but destroyed in the course of the operations, cannot be considerd as Booty."

3d. "You will accordingly, in virtue of His Majesty's Grant, pay to the Agents of the trustees one moiety of the amount of the estimated value of such Vessels as were actually take by the Forces engaged in the operations in the Persian Gulph."

4th. "The remaining moiety you will likewise pay to the Agents, as a donation from us to the Forces, in conformity with the intention announced in our Military Dispatch of the 11th February 1824,"

In conformity to the above orders, and those previously published in General Orders of the 26th April 1825, the Hon'ble the Governor in Council has been pleased to direct the following further sums to be paid over to Messrs. Shotton Malcolm and Co. for distribution under His Majesty's warrant, after payment of the per centage due to the Prize Agents, and with interest at 6 per Cent per Annum from 30th September 1820, viz.

Rupees	1,84,625	0	00
	1,32,000	0	00
Total Rupees	2,66,625	0	00

Bombay Castle, 20th February 1827.

No. 66 of 1827.—An Order issued by the Officer in Command of the Malwa Field Force, dated the 20th ultimo, nominating Lieutenant H. Sutton, of the Regiment of Artillery, to act as Executive Engineer at Mhow, on the departure of Lieutenant Athill to join his station at Poona, in compliance with the Government General Order (No. 384) of the 20th December last, is confirmed.

No. 67 of 1827.—The furlough allowed to Lieutenant H. Dampier, of the 19th N. I., to Madras, by General order of the 23d of December last, is cancelled at his own request.

By Order of the Hon'ble the Governor in Council,
W. NEWNHAM,
Chief Sec. to Govt.

To the Editor of the Bombay Gazette.

SIR,

Should you be inclined to encourage communications on the subject of curiosities in the interior of India, a few observations made during a visit to the excavated temples near Ellora, are much at your service. They are speculative, but in the absence of information upon any point, oral or written, conjecture is always made to supply the place of fact. Should my remarks excite inquiry, who knows whether it may not lead to a result beneficial to history.

Raja Bhoj or Devi Bhoj called also Vikramajeet, Vikramaditya, and Prithwi-raja, is said to have been King of Malwa. This however could not be the Vikramajeet from whom the Era originated which still bears his name, as Prithwi-raja seems to have been the style or title of the Kings of Delhi; while therefore a hindoo prince reigned there, such a title, which signifies King of the world, would hardly be assumed by any inferior neighbouring prince. It is therefore probable, that, as the crescent made good its ground advancing from the northwest, that the Prithwi-raj removed its seat of government to Oujain, Dhar, or Mandow. Signor Manouchi, the writer of memoirs on which is founded an interesting and instructive history of the Mogol dynasty in India, just published, affirms, that the first Patan prince who reigned at Delhi established himself there in 1085 A. D. and this may be looked upon as the commencement of the Prithwi-raj in Malwa.

Vikramajeet and Salivahana seem to have been names of powerful Kings who reigned about the same time, the one over the countries north of the Nerbudda, and the other south of that river. From each of these personages an Era originated, and both are in use at this day; this being the year 1884 of Vikramajeet and the year 1749 of Salavahana. It is very probable that many of the successors of these popular princes would assume their respective names; consequently to find a Vikramajeet reigning in Malwa, and a Salivahana at Puttun 1200 years afterwards will not be thought extraordinary. It seems to have been about this period that the sword of Islam continued its progress to the Nerbudda, destroying idolatry in its course, and, by means of the powerfully persuasive eloquence of cold steel, establishing on its ruins the TRUE FAITH. In the 9th vol. of the Asiatic Researches I think it is written that in 1192 of our Era, a great battle was fought between the Mahomedans, and armies united of Vikrama and Salivahana, in which the former were victorious, and the Vikrama of that time slain. The wars of Vikrama and Salivahana form the subject of many a hindoo tale, and though these warriors were always opposed to each other, it may be easily imagined that they would make common cause against the deadly enemy Idolatry, who was not to be stopped by other means than arms, in his career of invasion and conquest. Supposing it correct that a battle was fought attended by these circumstances, and nothing is more likely, it follows, that the hindoos would retreat across the Nerbudda to the Puttun Rajah's country, where the victors might be deterred following them at that time from the nature of the intermediate country, or other causes.

Salivahana who is represented as a wise and valiant prince, would employ the companions of his flight, when the terror of pursuit had subsided, in the manner best suited to their common interest, or towards the support of their religious and civil liberties. A portion of the fighting men would be naturally left to guard the passes, while the artists and sculptors, attested by their labours to have lived in Malwa, would find ample employment with the priests and princes of an idolatrous people:—the country conquered by the followers of Mahomet in the fourth century of the Hejira must have been the worst possible country for a maker of images. The passes in the Sautpoora and Chandore ranges of hills, through which invaders from the north must enter the Puttun rajah's country, seem each to have been defended by a fort, as attested by ruins where forts no longer stand; and near the great pass of Adjunta are excavated temples probably intended for the devotional exercises of the defenders.

I now come to the fortress of Dowlatabad and the excavated temples of Ellora, both works so stupendous, that in vain we should look through the world for any work of art during many centuries which could equal either. Neither could have been produced by other than the whole labour of a powerful people. The precision of the Grecian chisel doubtless surpasses any sculpture at Ellora, and perhaps but little will be conceded to me in observing, that the one was excercised upon marble while the other is done in granite: the one produced by the world's masters of the art, the other by barbarians probably, confined to the mode received from their ancestors and not permitted to introduce innovations. To suppose that the principal temple (Kurlas) has been the work of a succession of princes is at variance with our observation of men and events in the east: it must have been begun and finished at once. What is so likely, as that the princes of Malwa and Puttun should post, after their retreat, in [redacted] and only 20 miles from a part of the Adjunta or Chandore range, where I am told, it is perfectly accessible to cavalry for several miles in extent. In the middle of which plain also, an insulated mountain presented so favorable a scite for an impregnable position, and a dernier resort in case of defeat; affording at the sametime an opportunity of employment in its formation to a whole army or rather a whole nation.

The images named after Raja Bhoj are also called those of Dhurmraja, signifying prince of religion; and, as many of the images go by his name, is it too much to infer, that, while his successor, who probably inherited his virtue and zeal, employed the time and labor of his army in excavating temples; that Salevahana, who is never named but as a skilful warrior, may have employed his troops (which sprung up, mounted and armed, from clay images of his own making!) in forming the rock now called Dowlatabad into a fortress, which was afterwards named Deoghur? The proximity of the fort and temples to each other, suggests that the workmen at the one must have proceeded with the concurrence of the chief authority at the other.

I could not learn that the country for many miles round contained the ruins, or exhibited the site, of any ancient town or city nearer than Puttun, (for Aurungabad is a modern city,) so it is to be presumed, that the sculptors and workmen at Dowlatabad and Ellora lived in their tents. It will be observed by the intelligent traveller, that the temples belong to two distinct systems of idolatory, and we are made to believe that they were determinately hostile to each other, how then happens it that their temples are found so contiguous? Surely the circumstance of their being united in some object of common or mutual interest could have induced the one to tolerate the other so near them. Some travellers have supposed that the temples of the one worship are of later date, but unless the practice of the other had been suppressed, and Dowlatabad, (the formation of which most probably either preceded, or is coeval with, the temples first made,) had changed masters, I see not how the temples of another idolatry could be there commenced upon. The Bramjnical theology appears never to have left the Deccan, and a French writer affirms (I hope from some authority) that it was founded, 300 years after the flood, by Brama, the son of Magog, the son of Japhet. The caves appear to me in an equal state of preservation, except where the course of the rain water has been suffered to find its way into the interior of some of the caves, and over the exterior of others.

Digitized with financial assistance from the Government of Maharashtra on 28 June, 2017

and occasioned dilapidation. Moreover, the dusky appearance of the walls and roof in Kuelas, which had been covered with a thin coating of chunam, still remaining in some parts, was occasioned by fire. It is said that either the pious zeal of Aurungzebe in the destruction of idolatry, or his good taste, evinced in shewing a proper abhorrence of the gross, and indecent representations both in painting and sculpture in relief, both of which are still to be partially traced, induced him to direct that the temples should be filled with combustibles and set fire to. This measure would effect such an object, while it could not materially injure the temple or large idols, and it has only been practised in Kuelas where these nuisances appear to have existed. A collection of books in which any of the personages connected with the idolatry of the excavations at Ellora might be worth the attention of Sunskrit Singalese Javanese, and Maratta scholars. A careful perusal, or hearing of them, might lead to much useful information, for though most Hindoo literary productions, are made up of fiction, yet may they not sometimes originate in fact? It may happen that concurrent circumstances noticed in different works, found in places remote from each other, might give sufficient grounds for subjecting them to stricter examination. The Salivahana in Java noticed in Crawfords' Indian Archipelago is the same who was born in a Potters house at Puttun on the Godavery, and with whose fabulous history every Koonbee is acquainted. Temples exist every where in the East, to Boodh in Hindoostan-Ceylon, and Java. Remove the deiform from Pandoo, and the tail from Hunooman, or the marvelous from both, and we shall have probably the history of a great warrior mixed up with fable. The mythology, or rather the ancient theology, of Europe, is believed to have originated in the admiration of mankind for personages who after their passage hence, were deified. A publication in the French language once fell into my hands, in which the author clearly proves by a comparison of the remarkable actions of their lives, that Bacchus and Moses were the same person,—that Nisa the birth place of the one, is, letters throughout, the mount Sina of the other,—that the nymphs who brought up Bacchus were the daughters of Pharoah and so forth.

A small part of this has been suggested by Major Wilford's account of the "Isles of the West." This however should not set curiosity at rest; credulity may be attached *even* to me, but I hold that a man should not desist from enquiry, because he meets with something difficult to reconcile with common sense.

I am Sir,
Your most obedient Servant,
W. H. M. C.

16th February 1827.

EXCHANGE.

On London 6 month's at 1 | 10.
Calcutta . . 90 days 105 Bombay Rs. per 100 Siccas.
Madras, . . 30 days, 99½ R'y. Rs. per 100 Madras.
A five per cent loan open.

THE GAZETTE.

BOMBAY.

WEDNESDAY, 28TH FEBRUARY 1827.

No arrival from England since our last; and, lamentable to relate, there is quite as great a scarcity of Hodgson's Pale Ale as of Europe News. We have of late borrowed the one pretty freely from our Bengal and Madras Cotemporaries; but will they as liberally spare us some of the other? This grievious state of affairs, set us a cogitating on all manner of melancholy matters; and our readers may thank their stars that we did not, like other persons of importance, make our own individual vexations, the organ of half a hundred groans, on the depravity of men in power, and on the present alarming posture of the public interests.

We have run over, with some degree of interest, an elaborate Report, by H. M.'s Commissioners of Inquiry in the Colony of the Cape of Good Hope, on the complaints made to the Home Government by Mr. Bishop Burnett, late a settler in the District of Albany, against the Governor of that Settlement Lord Charles Somerset. We shall not frighten our readers by placing before them so long a story; but content ourselves by stating, that the Hon'ble Commissioners have clearly shown the vaxatious nature, and utter groundlessness of these charges, so vehemently urged and so eagerly listened to in England.

It is strange what a tendency individual misfortune and disappointment have to pervert the understandings of men of unquestionable ability. Bishop Burnett went out to the Cape of Good Hope of course as to a Paradise: The first glance of it's barren shores undeceived him. Successive failures of crops, and depredatory incursions of Caffres, ruined him; and to Crown the whole the *RIVERS* combined against him: At once he was assailed by all the petty mightiness of local authority; and his bed and his all, swept from under him, in one of the most dreadful nights imaginable.

Poor fellow! he is to be pitied for his misfortunes, tho' nothing can justify his attack on Lord Charles Somerset. It is by no means unexampled however; and we ought to overlook in some measure the blind and desperate fury of a man sinking in the Gulph of want and misery.

The Ship Mountstuart Elphinstone for London took her departure yesterday. The Eliza bound to Calcutta, on the 26th.

The Passengers by these Vessels are as follow.

Passengers by Elphinstone.—Mrs. Elphinston; Mrs. Jenkins; Mrs. Willoughby's; Mrs. Chisholm; Mrs. Bell; Mrs. McLeod: John Elphinstone Esq.; R. Jenkins Esq.; Col. Hessman C. B.; Col. Kennedy C. B.; Capt. W. Gordon, Madras Establishment; Dr. Thornton, do.; Capt. Chisholm do.; Capt. Anderson H. C. Marine; Dr. Bell; Capt. McLean 20th Regt.; Lieut. Mackenzie, Queens Royal.

CHILDRENS.

Missses Jenkin's; Misses Willoughby's; Miss Ducat; Miss Wooler; Miss Chisholm; Miss Wilkinson; Master Thos. Wilkinson Gordon; Master Sutherland: Master Chisholm; Master Thomas.

By Eliza.—Mrs. Ward; Surg. Chs. Jones 41st Regt. M. N. I.; Lieut. Cocker, 8th Regt. M. N. I.; Capt. Davidson; Revd. Mr. Ward and two Children, and three Officers late of the Hammon Shaw.

BOMBAY.

ARRIVALS.—Lieut. Gardiner, M. E. Regt.
Capt. A. Hare, 14th Rt. N. I.
Surgn G. Meckle, M. Establishment,
Lieut. G. Rowley, 2d Rt. Lt. Cy.
DEPARTURES.—Lieut. Short, 13th Regt.
Lieut. W. Turner, 2d Cavy.
Lieut. W. M. Coghlan, Artillery,
Surgn Wm. Gray, 5th Regt.
Lieut. Grant, Engineer,
Surgn Chas. Jones, 41st Rt. M. N. I.
Lieut. R. Ord 24th Regt.
Cornet G. Ravenscroft, Cavy.
Lieut. Col. R. B. Jenkins, Comt. N. A. F.
Capt. J. Chisholm, Madras Artillery,
Ensign T. M. Dickinson, 14th Regt. N. I.
Lieut. Cocker, 8th Regt. M. N. I.
Lieut. Corselles, 17th Regt.
Capt. W. Jameson, 3d Cavy.
Ensign C. W. Prother, 4th Rt,
Surgn D. C. Bell 18th Regt.
Lt. Col. Comt. M. Kennedy, 15th Rt.

NAUTICLE CHRONICLE,

AND NAVAL REPORT.

BOMBAY.

ARRIVALS.—Feb. 21st Portuguese Ship Angelica, A. F. da Silva Com. from Macao, Sincapur 21st Dec. Malaca 27th Penang 10th Janv. Goa, 14th Feb.

Do. Ship Futtay Eloyshaw, Meerally Nacqudah from Penang, 11 Dec. touched at Columbo the 10th Janv.

22d Brig Felix J. F. Daulmet Commander from Port Louis and Isle of France, the 4th Jan.

23d Brig Java Packet, L. Beaugeard Com. from Mauritius, 8th Nov.

25th His Majesty's Ship Hind, John Furneaux Esq. Capt. from Trincomalie. 3d Feb.

Do. Portuguese. Brig Dezempenho, Joze de St. Ritta. Cardezo, Com. from Macao.

27th Brig Theodore, Longlois, Com. from Mauritius 10th Jan.

Passengers per Angelica.—Sir Ralph, Rice.
Ditto. Brig Dezempenho.—M. L. de Silva.
Ditto. Brig Theodore.—Mrs. Longlois.

DEPARTURES.—21st. Ship Norfolk (Free Trader) Alex. Greig Commander to London.

24th The H. C. Cruizer Thetis Lieut. J. Pepper Commander to the Malabar Coast for Treasure.

25th French Brig La Kanaris, H. Auger Com. to Bourbon.

26th Ship Eliza, G. Cuthbertson, Commander to Calcutta.

27th New Ship Mountstuart Elphinstone, Com. A. Henning to London.

Passengers by Norfolk.—Mrs. Barnard, Mrs. Prother, Mrs. Pottinger, Mrs. Jenkins, Thos. Barnard, Esq. Lieut. J. Thomas 16th Rt. N. I. Lieut. E. R. Prother, Arty. Lieut. E. Neville, 2d Rt. N. I. Asst. Surgn J. Atkinson, Queen's Royal, Lieut. J. King, Do. Lieut. G. C. Rand, 8th Rt. N. I. Mr. Fell, Mr. Molone Conductor, Mrs. Molone.

CHILDREN.

Hemelton, Maria Pottinger, infant Chs. Willoughby Barnard, Fanney Barnard, Jossey Jenkins, Elizabeth Jenkins, Jane Jenkins, Mary Jenkins, infant Edw. Jenkins, 24 Invallids 6 Women and 9 Children.

Ditto, by Eliza.—Mrs. Ward, Surgn Chs. Jones: 41st Rt. M. N. I. Lieut. Cocker 8th Rt. M. N. I.; Capt. Davidson, Revd. Mr. Ward, and 2 Children and 3 Officers late of the Hammon Shaw.

Ditto by Elphinston.—Mrs. Elphinston, Mrs Jenkins, Mrs. Willoughby, Mrs. Chisholm, Mrs. Bell, Mrs. McLeod, John Elphinston, Esq. R. Jenkins, Esq. Col. Hessman, C. B. Col. Kennedy, C. B. Capt. W. Gordon, Madras, Establisht. Dr. Thornton, Do. Capt. Chisholm, do. Capt. Anderson, H. C. Marine, Dr. Bell, Capt. McLean, 20th Rt. Lieut. MacKenzie, Queens Royals.

CHILDRENS.

Misses Jenkin's, Misses Willoughby' Mess Ducat, Miss Wooler, Miss Chisholm, Miss Wilkinson, Master Thomas Wilkinson Gordon, Master Sutherland, Master Chisholm, Master Thomas.

SHIPS LOADING.

English.—Catherine for Greenock,
Lord Castleregh for China,
Bombay Castle, for ditto.
Bannerman for ditto.
Byramgore for ditto.

Ceylon for Columbo,
Malabar for Madras and Calcutta.

CALCUTTA.

ARRIVALS.—Feb. 5. Brig Bucephalus, M. F Crisp, from Amherst Island and Cheduba 25th January.

8. Brig Jane Eliza, R. Wallace, from Manilla 7th January.

DEPARTURES FROM CALCUTTA.

4. French ship Œdipe, L. Deslandes, for Havre de Grace.

5. Brig Guide; S. Ashmore, for New South Wales.

— Ship Amid Bux, Nacoda Cooty Hamed, for Mocha.

6. Ship Atlas, F. Hunt, for London.

DEPARTURES FROM SAUGUR.

3. H. C. armed brig Sophia, G. Davies, for Akyab.

EXPECTED TO SAIL.

French brig Alerta, Foucault, for Bordeaux, in a day or two.

ARRIVALS OF PASSENGERS.

Per Brig Bucephalus, Captain M. F. Crisp, from Amherst Island.—Lieutenant Samuel Richardson, Bombay Marine; Mr. Salter, Commissary Department; Serjeant-Major May, his wife, and two children, 68th Regiment N. I.; thirty-five Troops, Lascars and Followers.

DEPARTURE OF PASSENGERS.

Per ship Atlas, Captain Hunt for London.—Lieut. George Gibson. For Masulipatam:—Captain and Mrs. Carlton. For Madras:—Captain and Mrs. Crisp, and one Female.

Per ship Madras, Captain Beach, for London.—Mrs. Ballard, Mrs. Carter, Mrs. Lamb, Mrs. Watson, Mrs. Baker, Mrs. Mack, Mrs. Faithful, and Mrs. Beach; Col. Huthwaite, and Captains Faithful and Watson, H. C. Service; Capt. Cooper, H. M. 11th Dragoons; J. Carter and—Thomson, Esquires, Civil Service; Dr. Wardrop, H. C. Medical Service.—Children: Misses Ballard, F. Faithful, White, Lamb, Baker, Hamilton, F. Beach and M. Beach; Masters White, Hamilton and Ross.

Per French brig Alerte, Captain Foucault, for Bordeaux.—Mr. Emanuel Bergis, supercargo, and Mr. Pierre Dupeyron, officer of the French merchant service.

STATIONS OF VESSELS IN THE RIVER,
FEBRUARY 7.

DIAMOND HARBOUR.—Fort William.

KEDGEREE.—Shahool Hamed, outward bound remains: Samdany, proceeded down; Eleanor, Louisa (D), and Phœsant, down; Cambridge, and Reaper (brig), remain Lady Flora and Cashmere Merchant, below Ledgeree, outward bound, remain.

SAUGUR.—H. C. Ships Rose Asia, and Ship Cornwall.

MADRAS.

ARRIVAL.—February 11, Brig Mamoody, Captain P. Vinerosity, from Penang the 31st January.

DEPARTURES.—February 11, Ship Pascoa, Captain Gathroe, for Calcutta.

15, H. M. Ship Boadica, Captain Wilson, for Trincomalie and England.

LIST OF SHIPPING IN THE ROADS.

Ship Wellington, Captain G. Evans.
Ship Milford, Captain T. J. Jackson.
Brig George, Captain Burnaby Simon Vaz.
Brig William, Captain G. F. Andree.
Brig Lutchemy, Captain A. Colin.
Brig Elliza, Tindal Guntaloo.
Cutter Recovery, Captain Anderson.

MARRIAGES, BIRTHS, AND DEATHS.

BOMBAY.

MARRIAGES.—Yesterday Morning at St. Thomas's Church, by the Rev. Henrey Davies, Senior Chaplain Mr. Charles Wilson, Marsall of Bombay Gaol., to Ann daughter, of the late Charles Bond, Surgeon in the Isle of Ely, county of Cambridge.

On Thursday, last the 22d Instant, by the Revd. Edward Maiuwaring, Mr. William Brown to Miss Letindah Court.

BIRTHS.—At Poona, on the 16th Instant, the Lady of G. W. Anderson, Esq. of a Daughter.

On Thursday the 22d of February Mrs. Hathway's, of a Daughter.

DEATH.—At Sea, on board the Lady East, bound to London, Mrs. Lavie.

CALCUTTA.

MARRIAGE.—At Dum-Dum, on the 4th February, at St. Stephen's Church, Serjeant W. Deare, of the Assistant Adjutant General's (Artillery) Office, to Miss Diana Miller.

BIRTH.—At Benares, on Tuesday, the 23d January, Mrs. Wm. Rawstorne, of a daughter.

MADRAS.

MARRIAGES.—On the 30th January, at Secunderabad, by the Revd. James Boys, Lieutenant Archibald Douglas, Deputy Assistant Commissary General, to Maria Norman, youngest daughter of the late George Maidman, Esq. of the Madras Civil Service.

At Trichinopoly, on the 1st Instant, at St. John's Church, by the Revd. J. Wright, Chaplain of that Station; with Special License, Quarter Marter Serjeant J. C. Cassiday, of the 27th Regiment N. I. to Miss A. Clemons.

BIRTHS.—At Madras, on the 14th instant, the Lady of the Rev. Alexander Webster, of a Son.

At Dindigul, on the 1st Instant, the Lady of Robert Nelson, Esq. Civil Service, of a Son.

DEATHS.—At Pondicherry, on the night of Thursday, the 25th January, Maria, the beloved Wife of Captain T. H. Brotheridge, of H. M. 48th Regiment, aged 26 years, after giving birth to an Infant Son on the 18th of the same month, which survived only a few hours.

At Black Town, on the 10th February, William Frederick, the eldest Son of Mr. J. Johnson, of the Post Office, aged 7 years.

Calcutta.

FIRST LOTTERY,

FOR THE IMPROVEMENT
OF THE
CITY OF CALCUTTA.

Fourth Day's Drawing; Tuesday, January 30, 1827.

PRIZES.

No. 3453 Prize of 500 Sicca Rupees.
Nos. 2635 2015 5990 Prizes of 250 Sicca Rupees each.

Fifth Day's Drawing; Thursday, February 1, 1827.

PRIZES.

No. 1209 Prize of 40,000 Sicca Rupees.
No. 179 Prize of 10,000 Sicca Rupees.
No. 3880 Prize of 5,000 Sicca Rupees.
Nos. 5041 5025 4728 Prizes of 2,000 Sicca Rupees each.
No. 1944 Prize of 1,000 Sicca Rupees.
Nos. 356 1718 3567 Prizes of 500 Sicca Rupees each.
Nos. 2863 1935 1855 4551 5634 5085 1215 Prizes of 250 Sicca Rupees each.

Sixth Day's Drawing; Saturday, February 3, 1827.

PRIZES.

No. 5142 Prize of 50,000 Sicca Rupees.
No. 4760 Prize of 2,000 Sicca Rupees.
Nos. 294 2598 3587 Prizes of 1000 Sicca Rupees each.
Nos. 3194 4112 933 4597 564 1825 3182 Prizes of 500 Sicca Rupees each.
Nos. 825 5437 1145 149 2736 2898 4416 3701 5851 1428 Prizes of 250 Sicca Rupees each.

Seventh Day's Drawing: Tuesday, February 6, 1827.

PRIZES.

No. 5155 Prizes of 20,000 Sicca Rupees.
No. 863 Prize of 10,000 Sicca Rupees.
No. 1302 Prize of 5,000 Sicca Rupees.
Nos. 3400 2414 Prizes of 1,000 Sicca Rupees each.
Nos. 1396 1499 542 Prizes of 500 Sicca Rupees each.
Nos. 5565 4067 2708 4083 Prizes of 250 Sicca Rupees each.

On Thursday last, a Meeting took place at the Town Hall, to consider the institution of the United Service Club, when it was determined to form the association proposed, on as wide a scale as might be practicable, leaving its full development to a subsequent period. On the 2d, a deputation, consisting of Colonel Stevenson, Mr. Trower, Colonel Wilson, and Colonel Cunliffe, waited upon Lord Combermere, and requested His Lordship's patronage of the proposed Institution. His Lordship readily accepted the office of Patron, and was pleased to express himself much interested in the success of the project.

A Petition from the persons confined for Debt, in the Calcutta Jail, praying the local authorities to take the state of the Laws regarding them in this country, into consideration, was presented, on Saturday morning, to the Right Honourable the Vice-President, by a Deputation of the following Gentlemen:

JOHN PALMER, Esq.
The Reverend THOMAS ROBERTSON.
Rajah BUDINATH ROY.
JOHN GRANT, Esq.
WIGRAM MONEY, Esq.
AND
Lieutenant-Colonel BRYANT.

The object of the Petition was supported by a long list of Signatures, comprising most of the Merchants and Tradesmen of Calcutta, besides a number of persons in every branch of the Company's service. The Deputation was received by the Vice-President, with his usual urbanity, and His Lordship promised to bring the matter to the notice of the Council. The following is the Petition:

To His Excellency General the Right Honorable Lord Combermere G. C. B. &c. &c.
Vice-President in Council.

MY LORD,—We the undersigned Debtors, prisoners in the Calcutta Great Jail, approach your Lordship in Council, with our respectful solicitation of your just and benevolent consideration of our oppressed and unhappy condition.

Although imprisonment for debt is the established Law of England, the wisdom of the Legislature has interposed to counteract or mitigate a course so wholly at variance with the professions of Christian charity, or the common feelings and principles of humanity and justice. For more than a century and a half past, occasional Acts of Parliament have given liberation to the insolvent debtor, after a certain period of imprisonment; and during the late reign, few years passed without a general throwing-open of the prisons of England, and the discharge of those unhapy persons whom misfortune had reduced to insolvency, and their creditors to a jail: while every successive Act in protecting the interests of the creditor, tended also to ameliorate the condition of the honest but unfortunate debtor.

In the course of this legislative enactment, in which the progressive establishment of the truth and humanity of its principle was attended with the enlargement of its powers for the relief of the debtor, it may appear unaccountable, that British India should have formed the solitary exclusion from these acts

(Continued after the Poetry.)

POETRY.

ORIGINAL,

ON READING VERSES DESCRIPTIVE OF THE PROMISED JOYS OF TO-MORROW.

To the wretch overwhelm'd in misfortune and sorrow,
When years have roll'd onward and brought no relief;
What hope can he, then, from futurity borrow?
What balm can e'er solace his soul rending grief?

How vain 'tis to wish for a brighter to-morrow,
When long cherished anguish shall happily cease,
And the morn, as it blushes, dispel every sorrow,
Attuning the heart to the blessings of peace.

Yet a morrow will come, a friend to our woes,
To free us from struggles of anguish and strife,
And bid the worn spirit enjoy that repose,
Which ne'er was its' lot thro' this Journey of life.

Sure that is the morrow the Poet pourtrays,
In his gay fairy fictions of rapture and joy,
Where Happiness reigns thro' bright beaming days,
Unmingl'd with aught of this world's coarse alloy.

Giergaon, 1827.

In dreams the soul roves unconfin'd,
In scenes its' waking moments love:
Stern reason's empire o'er the mind
Flies with the day to realms above.

Night is the time when Fancy's pow'r
Bright as a Seraph's smile of bliss,
Mixes in sweet reflections hour,
The joys of other days with this.

Giergaon, 1827.

(Continued from the third Page.)

of mercy and relief; yet India experienced no practical benevolence of the Legislature until 1812, when the Insolvent Act of that year contained a direct application of its provisions to Fort William, Madras, Bombay, and Prince of Wales' Island. In virtue of this Act nearly 100 debtors were liberated from the Calcutta Jail, among whom, one, an European, had been a prisoner about 18 years, having been confined in 1795; the Act was of temporary operation—In 1813 it was renewed as a permanent statute, and has become the established Law of England, but the express application of its provisions to India did not form a part of the permanent Act.

Fourteen years have now elapsed without any relief or mercy from Parliament visiting the Debtors' cells in the prisons of British India. The fate of the individual, eighteen years a prisoner, is already threatening some of your Lordship's Petitioners, one of whom, a Native of the Provinces under the Presidency of Fort William, if he had remained in the house of his fathers would have enjoyed the full benefit of the Insolvent Acts, the spirit of which a wise and beneficent Government has diffused over the continent of India, for the protection and happiness of the millions of the Native population; but having fixed his residence within the boundaries of the city of Calcutta, which boasts the Laws of England, he has been a prisoner for debt in the Calcutta Jail going on 14 years, despairing of mercy from his obdurate creditor, and existing without the hope of ever being restored to the world but by this appeal to your Excellency's wisdom and humanity.

Two of his countrymen are going on 12 years of imprisonment; another debtor, an Englishman, 11 years; six are entering from the 7th to the 9th year, and twenty-three from the 3d to the 6th year, all equally without hope of release, but by the intervention of the Law, or of death; the latter avowedly the only limitation of the vengeance of some of our creditors.

We humbly submit to the consideration of your Excellency in Council, whether the Statutes which confer on the Local Governments of India the power of enacting Laws and Regulations for the good order and civil government of the several Presidencies, can possibly be meant not to embrace the relief of the honest but unfortunate debtor, imprisoned at the will of a relentless creditor. We presume to think, that the total oblivion of the debtor in India, in the permanent Act of 1813, must have arisen from the assurance, that some anterior Act had provided for his protection; and we further respectfully submit, whether the 23d clause of the Act of the 39 h and 40th of Geo. 3, does not expressly contemplate our unhappy condition.

It is in the belief and hope that this power does exist in the Local Authorities, that we implore the humane attention of your Lordship in Council to the scene of suffering and oppression now exhibited in the Calcutta Jail; and anxiously pray, that some Law or Regulation may be framed, in the spirit of the Acts passed by our parent country, which, while it shall secure the creditor's just claims, may protect the unfortunate debtor from his vengeance, and the horror of indefinite or perpetual imprisonment.

Calcutta Great Jail, Jan. 1827.

[Here follow the signatures of twenty European and Christian prisoners whose dates of confinement are from March 1816 to January 1827; and of one hundred and one Hindoo and Mussulman prisoners, whose dates of confinement are from September 1813.]

We, the undersigned, inhabitants of Calcutta having seen the annexed Petition to the Right Honorable the Vice-President is Council, from the Debtors in the Calcutta Jail, declare our conviction that the extension of the spirit of the Insolvent Laws will be beneficial to all classes of the people of this city, and that we believe such to be the general feelings and opinion of the settlement.

C. R. Barwell, Chief Magistrate of Calcutta. W. C. Blaquiere, Magistrate of Calcutta. J. B. Birch, ditto. Palmer and Co. Agents. Alexander and Co. ditto. Colvin and Co. ditto. Mackintosh and Co. ditto. Fergusson and Co. ditto. Cruttenden, Mackillop and Co. ditto. Stewart, Robertson and Co. ditto. Josseph Barretto and Sons, Portuguese Merchants. F. Bonnaffe and Co. F. Merchants. Blaney and Co. Merchants. Bagshaw, Barlow and Co. ditto. Alipott, Ashburner and Co. ditto. James Scott and Co. ditto. Boyd, Beeby and Co. ditto. Rustumjee, Turner and Co. Parsee Merchants. Mendieta, Uriarte and Co. Spanish Merchants. Macintyre and Co. Merchants. Gillanders, O'Gilvy and Co. ditto. Willis and Earle, ditto. Buchannan, Mann and Co. ditto. John Mackenzie and Co. ditto. Agabeg and Co. Armenian Merchants. Leyburn and Co. Auctioneers. Steuart and Co. Coach-makers. McKenzie and Lyall, Auctioneers. Hamilton and Co. Jewellers. Tulloh and Co. Auctioneers. Ezekial Moseah, Broker. W. L. Cohen, ditto. John Lucas, Greek Merchant. John Cook, Livery Stable-keeper. Pengelly and Mortimer, Europe Warehouse-keepers. Samuel Smith and Co. Booksellers. D. Mills, Watch-maker. Twentyman and Co. Goldsmiths. W. Thacker and Co. St. Andrew's Library. Currie, and Co, Carpenters, Joiners and Cabinet-makers. Hartley and Co. Cabinet-maker. W. Watts, Boots, Shoe and Harness-maker. Frederick Manton, Gun-maker Robert Gibson and Co. Tailors and Habit-makers. Charles, Bernard, Cloth Merchant, Thomas B. Scott Printer. F. Burkinyoung and Co. Musical Instrument-makers. E. Nosky, Apothecary.—Delmar, Music Master. Frith, Gordon and Co. Chemists and Druggists. J. Llewelyn, Stone-cutter and Undertaker. Watson, and Co. Coopers. Jossop and Co. Founders and Civil Engineers. Burn and Co. House-Builders D. Drummond, School Master. Kyd and Co. Ship-builders. Thomas Robertson, Reverend, Minister of St. James's Church, and Ordinary to the Jail. Wigram Money, Member of the Board of Revenue. Alexander Gibb, Member of the Medical Board. Daniel Corrie, the Venerable the Archdeacon of Calcutta. John Craigie, Major, Secretary to the Military Board. J. Trotter, Secretary to the Marine Board. G. Chester, Member of the Board of Customs. G. Udny, President of the Board of Trade. W. L. Watson, Lieutenant-Colonel, Adjutant General. William Leycester, Chief Judge of the Sudder Adawlut. J. Grant, Surgeon, General Hospital. John Hayes, Commodore, Master Attendant. Roger Winter, Barrister. Theodore Dickens ditto. W. H. Abbott. Solicitor. C. Morley, Deputy Accountant-General. H. Imlach, Colonel, Military Auditor General. C. T. Sealy, Puisne Judge of Sudder Adawlut. A. Macleod, Lieutenant-Colonel, Commandant of Artillery. James W. Macleod, 2d Commissioner, Court of Requests. C. W. Brietzcke, 1st Commissioner Court of Requests. J. W. Hogg, Registrar of the Supreme Court. W. H. Macnaghten, Register of Sudder Adawlut. A. Ross, Puisne Judge of Sudder Adawlut. W. H. Mill, Reverend, Principal, Bishop's College. J. Bryant, Lieutenant-Colonel, Judge Advocate General. G. Money, Master of the Supreme Court. Thomas E. M. Turton, Barrister. Honorable J. E. Elliot, Member of the Board of Revenue. Muddon Mohun Sein. Rammonhun Roy. Dwarkannauth Tagore. Govindpersaud Bhose. Hurrochunder Ghose. Rajah Budinauth Roy. Rajah Subchunder Roy. Rajah Nursing Chunder Roy. Baboo Gopeemohun Deb, the adopted Son of the late Rajah Nobkishee. Subchuder Doss. Hajee Mirza Mehden Ispahanee. Caushee Caunt Ghosaul, Son of Rajah Kalee Shunker Ghosaul. Ruttan Doss, Gomastah. Moteechund, ditto. Gobindchund, ditto. Gobind Doss, ditto. Nidhy Loll, ditto. Gooroochurn Mullick. Rajnarain Doss. Hajee Mahummud Huneef. Ramgopaul Mullick.

His Lordship having read the Petition and Declaration, was pleased to reply, that the nature of the petition and the condition of the petitioners, supported by so strong an attestation of the opinion and feeling of the community, entitled it to his utmost respect and attention, and he should take an immediate occasion of placing it before the Council, with his strong recommendation of their early consideration of the prayer of the petition; and that, whatever were the mode in which the Government might be able to afford relief, his Lordship felt the deepest interest in the petition, and would be happy to afford it his warmest support.—*India Gaz.*

The Gov. Gaz. Feb. 5.

UNITED SERVICE CLUB.—We have much satisfaction in giving insertion to the following Proceedings, to which we briefly adverted in our last:

At a Meeting held at the Town Hall, on the 1st of February, 1827, in pursuance of the Resolutions of the 29th of November last.

Present.—C. Trower, Esq., Hon'ble Lieutenant Colonel Finch, Lieutenant Colonel Bryant, Lieutenant Colonel Stevenson, Lieutenant Colonel Watson, Colonel Hodgson, Colonel Cunliffe, Major Maling, Captain Jackson, Captain Oliphant, Captain Baker, Mr. Wynch.

Resolved.—That the Club be considered to be formed from this day, and that the Gentlemen now present, as well as those not so, who attended the Meeting of the 29th November last, and other Gentlemen, the Right Hon'ble Stapleton Lord Combermere, G. C. B., Sir Charles Metcalfe, Bart., Brigadier O'Halloran, Lieutenant Colonel Amburey, Brigadier Major Honeywood, Lieutenant Colonel Dawkins, Lieutenant Colonel D. C. Baddeley, Lieutenant Colonel Parkes, Captain G. C. Mundy, Captain J. Cheape Captain W. Burlton, Captain Mackinly, Captain F. Jenkins, Captain White, Captain C. M. Cox, Lieutenant Dougan, Lieutenant J. N. Forbes, Lieutenant J. P. Macdougall, Lieutenant W. Hislop, Lieutenant J. Mackenzie. Messrs. D. Scott, G. T. Metcalfe, R. N. Hamilton, H. Moore, Briscoe, Woollen, and P. Y. Lindsay, Civil Service. And Dr. James Ranken, Messrs. Forbes and Watson, Medical Service, who have signified their wish to belong to the Club, be considered original Members of it.

That His Excellency. Lord Combermere, be requested, by a Deputation from the Club, to become the Patron of it.

That the number of Members (for the present) be limited to five hundred, one hundred of whom to be eligible from Gentlemen not in the Service of His Majesty or the Honorable Company.

That Messrs. Mackintosh and Co. be requested to accept the office of Treasurers to the Club.

That the following Gentlemen be appointed a Committee, Sir C. Metcalf, Bart., C. Trower, Esq. H. T. Prinsep, Esq., the Hon'ble J. Elliott, Hon'ble Lieutenant-Colonel Finch, Lieutenant Colonel Stevenson, Lieutenant-Colonel Watson, Lieutenant-Colonel Bryant, Colonel Cunliffe, Captain Oliphant, Captain Jackson, E. Molony, Esq., P. Wynch, Esq., for the purpose of framing Rules and Regulations for the management of the Club. The same to be submitted on the 1st of March next, to a General Meeting to be held at the Town Hall, for that purpose.

Gov. Gaz.] P. WYNCH, ACT. SECT.

COURT OF REQUESTS.

CALCUTTA, 19TH JANUARY, 1827.

LIVINGSTON AND OTHERS *versus* MUSTON.

This was an action brought for the recovery of Sicca Rupees two hundred and four, nine annas and nine pies, being the difference of sale between the purchase of a horse at the outcry of the plaintiffs by the defendant, and the resale of it on account of the failure of defendant to clear out his bargain.

The circumstances of the case were these. On the 4th day of December last, the following advertizement appeared in the catalogue of the plaintiffs.

"*A splendid Saddle or Buggy Horse—Got by Pindarree.*—A thorough bred English blood Horse, 14 hands 1½ inch high, rising five years old, regularly broken in for the Buggy, has been daily driven and is warranted perfectly quiet; he is also a delightful Saddle Horse, being one of the fastest in the settlement, either at trot or gallop, and his parted with for no fault whatever."

Dr. Muston being in want of a horse, and considering that the one answering the above description, suited him, attended the sale, and became the highest bidder for it. On leaving the auction-room, however, it was hinted to him by some person, that he had better be cautious how he drove the animal as he did not answer the description given him. This advice put Dr. Muston on his guard, and he called on Messrs. Tulloh and Co. to produce to him proof, that the horse was got by Pindarree, and was a thorough-bred animal.

Upon this requisition, the following certificate was sent by Messrs. Tulloh and Co.

"I hereby Certify that a Bay Horse, lot 70, of Messrs. Tulloh and Co's Catalogue of this day, was got by Pindarree out of Mr. Lewis's Duckhanee Mare.

Calcutta, 4th December, 1826.

T. HUNTER."

accompanied by the following letter.

DR. W. P. MUSTON.

SIR,—We send Mr. Hunter's Certificate of the Bay Horse which you purchased yesterday, having been got by "Pindarree" if that is not sufficient, we can obtain further evidence, but in the meantime time we beg to inform you that the Horse is standing at your risk and expense at Mr. Cook's Stables.

Your obedient Servant.

TULLOH AND CO.

We are ready to deliver the Horse to you.

To this letter, Dr. Muston replied thus.

Mr. Muston's objection to receive the enclosed as a certificate of the pedigree of the Bay Horse is, that it is no certificate at all.

It is necessary that it should come from the breeder of the Colt, and Mr. M. is informed that there is not a Colt of Pindarree's so old in India. Mr. Hooker who broke in the Colt informed Mr. Muston after he had bought the lot, that he must be careful how he used him, as he otherwise would not go off kindly.

Mr. M. therefore refuses to clear out the lot until the terms of sale are made good by Mr. Livingston, of your firm, whose property he informed Mr. M. the lot is.

December 5, 1826.

To MESSRS. TULLOH AND CO.

On the 9th of December, Dr. Muston was addressed the following.

W. P. MUSTON, ESQ.

SIR.—As the Horse which you purchased at our Sale of Monday last, is still uncleared, and the former owner has proof of his having been got by Pindarree, we beg to give you notice, that if you do not clear him out forthwith, we must as a matter of course, resell him on your account and risk on Monday next.

We are Respectfully, Sir,

Your's Obedient Serv'ts.

TULLOH AND CO.

Calcutta, 9th December 1826.

Which was replied to as follows.

SIRS,—In reply to your letter I have nothing to add to my former communication, you are to prove the truth of your declaration on faith of which the purchase was made, when (and not till then shall I acknowledge my having bought the lot) I shall of course consider the horse my property and pay the amount.

Your's obedient,

W. P. M.

Under the facts detailed in the above notes and documents, Dr. Muston contended, he was not liable to pay the demand made upon him. First, because the certificate proved, that his purchase was not a thorough bred English blood horse, and secondly, because he had reason to believe, from the age of the horse and the date of Pindarree's arrival in India, that the horse was not got by Pindaree.

Dr. Muston expressed his readiness at any time to have cleared his purchase, on his being satisfied as to the pedigree, and hoped, the Commissioner would not consider this case as one in which indulgence should be shown to the plaintiffs, because the defendant since his purchase had discovered that the horse was the property of *Mr. Livingston, the senior member* of the house of Tulloh and Company, and that consequently he must have been fully aware of the discrepancy between the advertisement and the actual fact.

The defendant's arguments being unanswered, the plaintiffs were *Nonsuited with Costs.*

Bengal Hurkaru, February 9.

We congratulate the community on the recent presentation of the Petition to Government respecting the introduction of the insolvent laws here. It is indeed high time that some improvement were made in the laws affecting the relation of debtor and creditor; for the existing system is equally absurd and cruel, as opposed to the interests of the creditor as it is destructive of the liberty and happiness of the debtor. The cases stated in support of the Petition, while they speak volumes as to the necessity of the humane measure called for, reflect eternal disgrace on those who have availed themselves of an unjust and inhuman law to prosecute their fellow creatures by keeping them incarcerated in a jail for ten and even fourteen years without a prospect of release except by death—for, some of the creditors it appears, have announced the humane and Christian resolution of keeping their debtors in jail until Heaven in this way liberates them. It seems now probable however, that they will ere long be deprived of the power to fulfil this very charitable and very creditable determination. So far so good; but we require something more than the introduction of the Insolvent laws here: they as our readers know still leave the property which the insolvent may acquire liable for his debts. Now the insolvent laws as applied to those who have not been engaged in trade may be in this respect all very equitable: for it is to be presumed, that the debts of those who have never engaged in trade or speculation cannot or ought not to be so large as to render the liquidation of them by industrious exertions impossible; but if those who have engaged in trade, and who may have failed to a very large amount, are to be only released from a jail on such condition, it may be a question whether their release can be any benefit to them, for since the durance of a jail itself can scarcely be worse than the hopelessness of toiling on to the end of life for the benefit of others, with the certainty of leaving those dependent on us, entirely destitute in spite of all that the most unremitting industry can effect, confinement or even death itself, is preferable to such a state of hop-less slavery.

It is clear than that we require here, not merely the insolvent but the Bankrupt laws—in virtue of which the honest but unfortunate merchant or tradesman, after fully giving up his all and producing proofs of the honesty of his dealings, is released from further demand, and enabled again to pursue his occupations with the cheering prospect of attaining independence or providing for his family by his honorable exertion.—It is needless to dwell on the arguments which justify our position—one moment's reflection will serve to convince any man that without the slightest deviaton from honesty persons engaged in trade may be in a moment reduced to irretrievable ruin, and that property which under the managemnt of the merchant or tradesman himself would have yielded a surplus on the whole demands against it, in the hands of rapacious creditors, brought to a forced sale or possibly wasted in litigation—brings not a tithe of what it would have produced to its original owner. Under such circumstances to make the unfortunate individual liable for the deficit, and to call upon him to toil on for the remainder of his days to make it up is surely a cruelty little less revolting, than that of immuring him for life in a Jail.—Yet

(Continued in the Supplement,)

BOMBAY.—PRINTED FOR THE *PROPRIETORS*, BY G. MARTINS, IN MILITARY SQUARE No. 8.

WHERE ADVERTISEMENTS, ESSAYS, POETICAL PIECES, ARTICLES OF INTELLIGENCE, &c. &c. WILL BE THANKFULLY RECEIVED.

Gentlemen about to change their stations are requested to give notice to the PRINTER who will pay due attention to their orders.

SUPPLEMENT TO THE BOMBAY GAZETTE.

WEDNESDAY 28TH FEBRUARY, 1827.

(Continued from the last Page.)

such will be still the state of the law here even if the humane measure proposed in the petition to which we have adverted, should be introduced unless it be also followed up by the introduction of the Bankrupt laws.

The Stamp Act is now published and we have seen a copy of it. It is not our intention however, to enter into any examination of its details; it is to the principle of the tax and to the construction of law upon which it is founded that we object. Its principle as we have before noticed, violates, a fundamental maxim of the British Constitution, and the construction of law on which its legality is maintained opens a door to the introduction of the whole system of English taxation; while that which would also admit the privileges by which such taxation is accompanied at home, is as rigidly closed as ever—If the law adverted to which appears to us to refer only to duties of customs and such other duties or taxes as are therein specified does really sanction the imposition of a Stamp tax, it is clear that by the very same construction, it justifies the imposition of the window tax, the horse tax, the income tax, or all and every tax, which may be deemed expedient—and therefore "just and proper." Such is the reasoning of Authority; and who shall dispute it? There can scarcely be a doubt indeed, that if no appeal is made against the Stamp tax if such appeal be unsuccessful, the whole of the taxes we have named and many more will gradually follow it. The avowed object of the new tax is to encrease the Revenue—not that the necessities of the State demand it; but that a commercial government requires an increase of profit. But it is undeniable that this desire of gain, in great Commercial bodies as in private individuals, increases with its gratification—"when or where" then is this taxation to cease? There is already a surplus Revenue if the Advocates of Monopoly are to be relied on. Any taxation beyond this, is clearly only to enrich those who have directed that it should be levied. Is this a legitimate object of taxation? Is it consistent with the character of an enlightened government to avow and to act upon it? There are questions we shall not attempt to answer; but this at least we will venture to maintain that if India is not yet sufficiently advanced to admit of receiving the benefit of our free Institutions on every principle of justice, she ought to be exempted from the evils of taxation against which without these Institutions she cannot any where be heard in time to avert them.

If this tax be submitted to without an appeal to authority here in the first instance and ultimately to the legislature of Great Britain, then will it be established, that to India alone of all the British possessions the principle of taxation without representation can be applied whenever the ruling powers shall pronounce it "expedient"—and consequently "just and proper."

But we are happy to inform our readers that the feeling of the whole community is so adverse to the imposition of this stamp tax, that a Meeting will be very shortly held to consider the best means of obtaining a revocation of the measure. The course talked of is a respectable appeal in the first instance to the local government and ultimately to the legislature. We would propose that a Petition against the tax should be drawn up and left for signature at the Exchange or the Town Hall, and our belief is that there are scarcely ten individuals in the whole community who will not sign it—The advantage of this measure over that of merely presenting an appeal signed by a Committee or any small body of individuals however respectable, is that the local government will thus be satisfied that the general feeling of the community is against the measure, and as no state necessity can be pleaded in its favour the government itself may possibly be induced in deference to public opinion expressed in this legitimate and respectful manner to recommend the revocation of it.

We shall probably resume this important subject in our next. It is one in which the interests of the community are deeply involved—and it is one too which may be discussed without fear of giving offence.—The evil complained of is an inevitable consequence of the system we deprecate and its condemnation implies no reflection on those entrusted with the administration of that system.

REVD. DR. BROWN, *Cossipore.*

The Editors of the John Bull presents compliments to the Revd. Dr. Brown has to acknowledge receipt of his letter * The Editor however begs to express his opinion that the publishing it would appear premature, but in case Dr. Brown thinks it an act of justice to him, and is still desirous of its appearing the Editor will with pleasure give a place to it in the John Bull.

John Bull Office 7th February, 1827.

Dr. Brown returns compliments to the Editor of the John Bull and begs leave to say, in reply to the Editor's note of this date, that he, does not consider the publication of his letter of yesterday to be premature; and that he does consider the publication of it to be an act of justice due to himself, and wishes it to be published. It was the wish of Dr. Brown that the subject to which it relates should not be made the subject of public discussion in India:* and he had understood *this to be the wish* of his Revd. Senior also; but he cannot allow palpable misrepresentations to go forth under the sanction of his Revd. Senior without contradiction. Dr. Brown desires also that this correspondence be published along with his letter of yesterday; and he sends along with this, a copy of the Editor's note, lest he should have neglected to keep one.

Cossipore, 7th February 1827.

The Editor of the JOHN BULL has received Dr. Brown's note of to-day, and begs to say that according to Dr. Brown's wish, his letters and the note from the Editor of JOHN BULL of this morning's date, will appear to-morrow morning.

John Bull office, 7th Feb. 1827.

To the Editor of the John Bull.

SIR,

In the John Bull of yesterday you inserted an article from the Edinburgh Evening Courant which contains a very *partial*† account of the subject now at issue between me and the Kirk Session of Calcutta. Does it not appear somewhat remarkable to you, that altho' the petition was not read at the Meeting of Presbytery, and the record was not entered into at all, it is said in the article referred to. "It was also stated on the record, that before applying to the Session on the subject, the Clerk had satisfactorily explained to him (Mr. B.) the cause of his non-attendance on the occasion alluded to, and Dr. Bryce, had given him assurance that no such neglect on the part of the Clerk should again occur"? Would you not infer from this that the article in question was not written by a Newspaper reporter, but by some Member of Presbytery who had access to the record which was lying on the Presbytery? This is my inference, which seems to me quite legitimate; and from what I am now to state, I think that Member of Presbytery, more devoted to the cause of Dr. Bryce, than he ought to be. Dr. Bryce, *never assured* me that no such neglect on the part of the Clerk should again occur. He told me that the attendance of the Session Clerk on such occasions was no part of his duty; and it was only in consequence of his having given me an evasive and indirect reply to my pointed enquiry on the subject, that I applied to the Session for the information required. These facts are on the record, and I leave it with you to decide, whether it is likely that a misrepresentation so injurious to me could have proceeded, either from a neutral person, or from a friend of mine.

Another fact bearing on this point is worthy of your consideration. You are perhaps not aware that the very defective account of my complaint and petition that was published by the Scotsman, was furnished to the Editor of that Paper by a friend of Dr. Bryce; and of this you may satisfy yourself by asking him if he had not a letter from a member of Presbytery or some gentleman in Scotland conveying to him this intelligence. In that report my chief grievance is kept out of view entirely.

As you in common with your brother Editors in Calcutta seem to think this a fit subject for entertaining the community‡ I send you the facts of the case, and beg you will do me the justice to publish them.

I did not make any complaint against Dr. Bryce,§—I did not find fault with the Session for denying my right to be a member of Session;—I did not ask the services of their Church Officers,—I complained of them for refusing to let me know whether they considered me to be entitled to their services when I required them in the performance of my public duties. I asked for information only being persuaded that the Scotch congregation have a little inclination to be exposed to ill usage under my ministry, as under that of my Revd. Senior; and that if the Session shall declare that I am not entitled to the services of their officers, that congregation will reserve a part of their half yearly contributions *(to what, does any body know?)* to provide an establishment for themselves.

My next subject of complaint is, that the Session insist on subjecting me to the Senior Minister's control, degrading me from the station to which the Honorable Company have appointed me, and making me Dr. Bryce's assistant; by which means I would be disqualified for fulfilling my engagement with my Patrons, (whose servant I hold myself strictly to be) *to do the duties of a minister of the Church of Scotland diligently zealously* and *conscientiously*, whenever it might please Dr. Bryce to say I should not act. Such an authority on the part of Dr. Bryce I disown—the jurisdiction of him and his Session I also disown, being amenable to the Presbytery only, who in as far as my character and conduct are concerned are my legitimate judges.

The subject is far from being of such a trivial nature as the learned counsel who seems to be acting where he has not right to speak at all, would have it to be believed. It involves this important question; Have the Honourable Company a right to do the Scotch people in India the kindness, to give them at each Presidency, two ministers instead of one? If they have not, then is it likely they will convert the appointment of Junior Ministers into Assistantships, when by doing so they would put a veto on their own nomination to vacancies to the Scotch Establishment, into the hand of the Senior Ministers. Is it not more likely that they will abolish the office of Junior minister entirely?

I, Sir, have no friend in the Presbytery of Edinburgh. I have written to no person in Britain on the subject which I have felt it to be my duty to bring to the Presbytery's notice. And I see no necessity for employing counsel in my cause at all. The facts are few and simple,—if the Presbytery's decision be against me, the affair shall be submitted to the General Assembly; if the General Assembly's decision be against me, it shall be referred to the Court of Directors. And should their decision be against me, it will then rest with me to determine whether to submit to the authority of the Presbyterian Bishop of the East, or to give up my charge with the consciousness of having made a firm stand for the interests of my Honourable Patrons, and the interests of the Church of Scotland in India.

I would not have thought it necessary to notice this subject at all if my Rev. Senior under whose control the Editor of the John Bull is understood to be, had not admitted such an unfair statement into its columns. If you wish for any more facts connected with this case, you are likely to find them on applying to me.

I am, Sir,

your obedient Servant,

JAMES BROWN.

Junior Minister of St. Andrew's Church.

Cossipore 6th February 1827,

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* Published below.—ED.

* We have never *discussed* it, and we believe his Reverend Senior did not wish *discussion*, the matter having been referred, to the proper authorities, Other papers have tried to lead us to a discussion, if they are gratified by Dr. Brown's appearance in the field. —not only to tell us what his Petition meant, but what he intends to do in the event of his not getting all his own way good and well—ED.

† The character of the *Courant* is a pledge that it is correct. ED.

‡ Vid. our first note to Dr. Brown above.

§ "In the Intervals between these public battles or polemical exhibitions he [Dr. Bryce] had been occupying his time (to keep his hand in use) in skirmishes with his colleague, who unable to bear any longer with the insufferable conduct of this common scourge to the community has been driven to appeal to the protection of his brethren in Scotland."—*Oriental Herald for September, page 576.*

WAR BETWEEN THE BURMESE AND PEGUESE.

The late war between the Burmese and the British, and the consequent accession of territory to the Company in an eastern direction, give an interest and importance that would not otherwise have been felt, to the struggle between the Burmese and their former vassals the Peguese, which commenced almost immediately after the evacuation of Rangoon by Sir Archibald Campbell. The commercial intercourse that has hitherto been carried on with Rangoon will also be materially affected by the continuance and results of this struggle, and we shall therefore attempt to lay before our readers a Sketch of the late and present position of the two parties, derived principally from the information of a gentleman, whose intimate acquaintance with the character of the people and the state of the country entitle the communication with which he has favoured us to be regarded as correct and authentic. We retain his orthography of proper names.

The Peguese have been subject to the Burmese Government since they were conquered by Aloung-Poora about the year 1757. They were so effectually subdued that they have not attempted from that period to the present time, to re-assert their independence. Many thousands of them at that time, and occasionally since, have emigrated to Siam or Yodaya, but enough have remained in their country, to constitute them, by the natural course of increase, a numerous, and, if united, a strong body of people. They have also kept up among themselves, although in all civil and religious transactions incorporated with the Burmese, the use of their own language which differs radically and essentially from that of the Burmese. Some change also has been occasioned by intermarriages which have taken place between themselves and the Burmese, but there is still among them an original and distinct character. Since their subjugation, they have dispersed themselves, for the various purposes of life, into different parts of the Empire; but much the largest proportion of them have attached themselves to their own soil, where they have pursued their occupations, and possessed common advantages in an equal degree with the Burmese, though none have been raised to very high and important civil offices.

When our troops invaded Rangoon and the adjacent country of Pegu, the inhabitants, both Burmese and Ta-lieugs, fled into the interior. Encouragements were held out to them to return to their homes and usual occupations, under an assurance, that they should meet with justice, and not be molested in their honest pursuits. Very few of the former, but great multitudes of the latter, before the close of the war, had returned to their towns and villages. Their number in Rangoon and suburbs alone, probably amounted, at least to 15,000. It was not expected by the inhabitants who came over to the English, that any part of the conquered territories would be restored to the Burmese Government; as it never entered their imagination that a *conqueror* would give up his *conquests*. When, therefore, they became acquainted with the result of the negotiations at Yandabo, they generally resolved either to follow the retrogression of the English Army to the eastern territories, or make a stand for their own independence against the Burmese. They had seen their own strength and number; as few Burmese, comparatively, sought protection under the British flag. They knew also that their old conquerors had become exhausted and discouraged, by their unavailing contest with the English. It is believed that there is not a single surviving branch of the family that reigned over the Peguese before the time of Aloung-Poora; but there has not been wanting one to raise the standard of revolt. The Governor or Magistrate of Syriam (or Thanblyeng) embraced the opportunity, presented by the state of the public mind which we have described, to kindle to a flame the spirit of independence.

The name of this man is MOUNG-ZAT. He is, though a Ta-lieng, connected in an obscure and very remote manner, with the royal family of Ava. He is about 50 years of age. He was, before the war for several years, and from time to time, the Myo-Woon, or Governor of Syriam, and when he came over to the English, was permitted to hold the same office. As soon as peace was concluded, he began to make preparations for the enterprize which he had in view. He commenced raising forces, collecting arms and preparing ammunition, laying up provisions &c. that he might be ready to attack Rangoon, as soon as the English should withdraw and the Burmese take possession of it. He called upon the Ta-lieugs generally to unite with him in the attempt, and the Burmese soon saw that the departure of one enemy would only be the signal for the attack of a new one.

He and the Taliengs generally were induced, perhaps, not so much from ambition at first, as from fear, to pursue a course of active resistance. They had not confidence in the forbearance and justice of the Burmese government. Having come over to the English, supplied them with provisions, and rendered them other services, for which they had received compensation, and by which some of them had acquired more money than they would have done in an ordinary way, they apprehended that they would be, notwithstanding the obligations of the Treaty, obnoxious to the Burmese Government, and the objects of extortion and plunder. They have commenced war, and as the Burmese have not had time to recover from the shock they have lately felt, it will require no uncommon degree of enterprize and perseverance, to succeed to the extent of their wishes.

Such are the particulars with which we have been furnished, and the feeling that most strongly forces itself on our mind after their perusal, is one of regret that Pegu was not retained in the possession of the British, instead of the Provinces to the East and South that have been incorporated with the Company's territories. There can be no doubt that this Government were in a position that enabled them to dictate the cession of Pegu, either in addition to, or in exchange for, the Provinces actually transferred, and that the Burmese Government, however unwillingly, must have acceded to it. It is clear also that the Peguese themselves expected that such would be the case, and that they

would have cheerfully passed under the English rule. If this course had been pursued a truly valuable addition would have been made to our power and resources in the East, facilities would have been given to commerce, and markets found for our manufactures in that quarter superior to any that have been hitherto or can now be enjoyed: a numerous and oppressed people would have enjoyed the blessings of a more just and enlightened government, and they would have been spared the continuance of that state of anarchy and bloodshed which the British invasion introduced among them. We are aware that some of these are reasons which are seldom if ever taken into account under such circumstances, but independent of any pledges that may have been given to the Peguese, of the nature and extent of which we should like to be better informed, and independent also of the virtual claim which they had, in consequence of having voluntarily placed themselves under our protection and afforded us their assistance during the period of war independent of all this, considerations of humanity, one would think, are not the very last that should be felt, acknowledged, and acted on by a Christian government. Admitting to the full extent every alleged ground of the Burmese war, it was the Burmese Government, not the Burmese people, and still less the Peguese, that were the aggressors; and yet it is the people, the innocent and unoffending people, that are made the principal sufferers, and the Peguese are handed over again to the grinding oppression of the Burmese or to the horrors of a civil war, as if it would have violated some good principle or compromised our dignity to take them under our protection and government. What the result may be it is impossible to predict. MOUNG ZAT may be another Aloung Poora, and after establishing the independence of Pegu may subjugate Burmah itself to his power. In that case there will be nothing gained to the cause of humanity and good government, as the Peguese will oppress the Burmese as severely as they were themselves oppressed. Even the separate independence of Pegu and Burmah under different governments will only lay the foundation for unceasing wars between the two powers, which will prevent either of them indeed from being formidable to the British, but which will produce a state of society supremely disgraceful to those who have been instrumental in creating it.

The Cal. Chro. Feb. 6.

Madras.

The precis of the intelligence received by the *Wellington*, given in Tuesday's *Courier*, brief as it was, contained a notice of nearly all the leading events of the day.

The latest London Paper we have seen is of Sunday the 15th of October. The day previous Consols closed at 80⅞.

A great sensation was created in the Money Market on the latter day by the arrival of H. M. Ship *Hussar* from South America with Specie to the amount of upwards of £100,000 sterling. Mexican Stock in consequence rose from 62 to 65½ immediately.

Columbian Stock had sustained a depression in a much greater proportion, owing to some sinister rumours respecting the conduct of the Columbian Minister.

On the 13th of Oct. these Bonds opened at 45 and closed at 37½, being a fall of 7½ per Cent. in the course of a few hours.

A melancholy account is given of the loss of H. M. Sloop *Magpie*, which event took place ten leagues from the Mariel. The Captain with all the Officers and Crew, with the exception of one of the former and one of the latter, perished.

Afflicting accounts are given in the English Papers of the renewal of the War between the British and their Allies, and the Ashantees. The army of the latter commanded by the King in person advanced within three miles of our post at Accra, but they were driven off after a very severe action in which their King was wounded—our loss was very great. Surely it is time to abandon this pest-house of the world, which by disease, or an implacable enemy, annually destroys more gallant Britons than all our foreign settlements put together.

The attention of the public was beginning to be strongly excited by the approaching meeting of the new Parliament. The address to his MAJESTY in the House of Commons upon the opening of the Session is to be moved by NICHOLAS STARKIE, Esq. Member for Pontefract.

We are happy to state that the *Duke of York* had nearly quite recovered from his late indisposition—and that *His Majesty the King* was in better health than he had enjoyed for a long time.

Amongst the recent deaths we are sorry to observe those of Mr. KELLIE, whose Reminiscenes lately published, have afforded so much amusement, and of Mr. CONNOR the celebrated Actor at Covent Garden Theatre—Since the time of *Jack Johnstone* he has been the only efficient representative of Irish characters.

The Morning Chronicle notices a rumour of the approaching marriage of SIR WALTER SCOTT to the celebrated Mrs. COUTTS! there are many no doubt who will give little credit to this rumour.

A singular quarrel has taken place between *Sir John Phillimore* and our *Ambassador to Buenos Ayres* on the passage out. The following particulars are given in a late Chronicle.

LORD PONSONBY AND SIR JOHN PHILLIMORE.

Various rumours are afloat, and much curiosity is excited in the Naval and Military circles, respecting the difference which took place between Lord Ponsonby and Sir John Phillimore on board the Thetis. The real circumstances out of which the unpleasantness arose, are pretty nearly these:—Sir John Phillimore, who was appointed to the Thetis to take out Lord Ponsonby as Ambassador to Buenos Ayres, came on the quarter-deck one evening, and met Lord Ponsonby there. His Lordship was dressed in a cotton vest, his costume was altogether quite *en deshabille*. The ship was all this time in a southern latitude, and Lord Ponsonby, it is presumed, was induced to go on the quarter-deck for the benefit of the air, as his cabin was inconveniently warm. Sir John was much displeased at seeing Lord Ponsonby in his deshabille dress in so proud and important a place as the quarter-deck of a man of war; he reprimanded the Lieutenant on watch for having permitted the Noble Lord to appear there in such attire, or with not having acquainted him (Sir J. Phillimore) of the circumstance. It is stated to have been part of the directions of Sir John to the officers of the ship, that he should be informed whenever the Ambassador appeared on deck, in order that he might pay his personal respects to him. Be this, however, as it may, Sir John either placed, or threatened to place, the Lieutenant under arrest. Lord Ponsonby interposed to excuse the Lieutenant, and wished to take to himself the responsibility of any error of which the Lieutenant might have been guilty, in admitting him (Lord P.) on the quarter-deck in the dress he then wore, or in having omitted to acquaint Sir John Phillimore of his presence there. Sir John Phillimore, who is a Captain not likely to wave the assertion of his authority on board ship, remonstrated against the interference of Lord Ponsonby, and intimated pretty sharply that he had subjected himself to be placed under arrest, and that if circumstances should require it he would not hesitate to order his Lordship below. Lord Ponsonby immediately retired to his cabin, and it is not to be wondered at that his Lordship and Sir John were not afterwards on the pleasantest terms, and that the Ambassador should gladly avail himself of the first opportunity that presented itself "to part company with a Commander", who had shewn what he might naturally have conceived to be a discourtesy towards him. We have not heard that there is any serious intention of calling Sir John Phillimore to a court-martial in consequence of this unpleasantness between him and Lord Ponsonby.

The JOHN BULL adds—

When the late excellent Admiral CORNWALLIS, was conveying his brother, the Marquis, as Governor-General, to India, his Excellency one day feeling his cabin hot, and the weather being peculiarly fine, directed his servant to place a chair for him on the quarter deck, in which he subsequently seated himself, to enjoy the breeze and the *pleasures of the sea*—there he sat, like a Governor-General as he was, in all the conscious ease of comfort and of greatness, until his brother, the Admiral, came up. No sooner did the veteran tar behold his military brother pleasantly ensconced in this commanding situation, than, having scowled indignantly towards him once or twice without effect, he called a quarter-master to him, and told him to go and tell that "soldier officer" that he must not sit upon his Majesty's quarter-deck. The quarter-master, of course, obeyed—the soldier officer rose, the chair was removed, and the brothers went to breakfast.

Sir Charles Stuart has arrived at Portsmouth—so has Sir John Phillimore, in the Thetis, with a million of money on private account—Sir John having discharged his diplomatic cargo somewhat earlier than might have been expected.

It appears that Lord Ponsonby, than whom, not a more gentlemanly, mild, or amiable man exists, conceived himself to be treated disrespectfully on board the Thetis, in which, as Ambassador to South America, he was taking his passage, and therefore refused to prosecute his voyage further than Rio in the Thetis. Admiral Sir George Eyre thereupon ordered the Doris frigate, Sir John Gordon Sinclair, to be fitted for the reception of the Ambassador, and this ship was waiting to take him on to Buenos Ayres.—It was understood that Lord Ponsonby awaited at Rio the arrival of the packet from England, by which he expected to receive further instructions. A Lieutenant of the Thetis, who got implicated in the Ambassador's misunderstanding with the Captain of the Thetis, was put under an arrest by him. A Court of Inquiry, or Court Martial, will probably be the result—It is said that the climax of disrespect was an order from Sir John to his Lordship to go below, in consequence of his Lordship's appearing on His Majesty's quarter deck in a cotton jacket. Whether this be true or not, it is clear they did not *cotton* to each other.

This rigid discipline, however, is nothing new, nor can it be wisely ralaxed; absolute controul and dominion are necessary in a community like a ship's crew, and it is impossible too strictly to inculcate and enforce a regard and respect for the ordinances of the King's service in the King's ships. We should not be surprised if the story were true, for if we forget not, a similar circumstance occurred where the relationship of the parties concerned rendered the *punctilio* more remarkable.

Europe.

It would seem too by the latest news from Europe that the Russians are determined upon a war with Turkey, and it will be seen by an extract which we will subjoin that the ultimatum of the Russians had at length been sent in, and was, that if their propositions were not accepted by the Porte on or before the 7th of October, the Russian Army would pass the Pruth. If this be so, the Sun has set upon the Crescent for ever! The following are the extracts to which we refer.

"CONSTANTINOPLE, SEPT. 8.—Since the conflagration, and the replacing of the Standard of the Porte, the meetings of the Ministers have not taken place under the tent in the Court of the Seraglio, but at Aga-Capoussi, the present residence of the MUFTI. The material loss which the conflagration has caused to the PORTE and the Grandees is inappreciable. However afflicting this event may be, the PORTE is thrown into a still greater embarrassment by a Note presented on the 4th, by M. de MINZIAKY.

"The news of Akermann, dated the 21st August, inform us, that the Russian Commissioners have delivered to the Turkish Commissioners the propositions of their Court. They form 82 paragraphs, which may be reduced to three principal points, viz.:—1 The question respecting the Asiatic Fortresses on the coast of the Phase, which Russia wishes to preserve—2. The legal relations of Moldavia and Wallachia, to which the Russians, to withdraw them from the vexations of the Turks, wish to consecrate an article of some length in the definitive Treaty; and, 3d, the civil and religious existence of the Servians. On receiving this peremptory declaration of Russia, to which, answer was to be given in at Akermann, on the 25th of September, (New Style,) the Turkish Commissioners were so troubled, that they, at first, wished to quit Akermann. But they, at length, not wishing to take on themselves the responsibility of breaking up the Conferences, demanded a longer delay, in order to receive instructions from Constantinople. The Russian Commissioners then prolonged the peremptory delay to the 7th October, and charged M. MINZIAKY to employ every means to obtain an answer from the REIS EFFENDI entirely satisfactory. The Russian Dragoman accompanied the Note of M. DE MINZIAKY to that Minister, with an account of the conferences at Akermann, and added verbally the assurance, that if by the 7th of October, all the propositions of Russia were not accepted by the Porte, the Russian Army would pass the Pruth.—*Allgem Zeitung.*

"The greatest part of the people attribute the conflagration to the rage of the Janissaries, who have become the object of general execration"—*Austrian Observer.*

PARIS, OCTOBER 2.—There has been published at Vienna, a version of the present state of affairs between Turkey and Russia; it is as follows:—"The Duke of WELLINGTON and Count NESSELRODE, in the conferences which they had at Petersburgh, agreed on the following principles:—

"1. That all the other Powers recognised the perfect justice of all the demands of Russia.

"2 That if Turkey refused definitively the satisfaction due to Russia, the latter would occupy provisionally Wallachia and Moldavia, with the sole object of forcing the Ottoman Porte to give the satisfaction demanded.

"3. That in case of a war against Turkey, none of the five Courts (of Petersburgh, London, Paris, Vienna, and Berlin) could pretend to any augmentation of territory."

This Convention between Lord WELLINGTON & M. DE NESSELRODE, whether verbal or written, definitive or merely a project, is the sheet-anchor of the *friends of peace*. We may judge from this whether it is very strong. We long ago stated that the first step of Russia would be the provisional occupation of these two principalities.

MARISCHAL COLLEGE, ABERDEEN.

We are glad to find that the example set by Mr. Hume has been followed by his successor, and that in one of our Colleges, the salutary practice of holding Rectorial Courts has been revived after a suspension of seventy years. Though the immediate result should be nothing more than to give parties who think themselves aggrieved an opportunity of uttering their complaints, and to bring irregularities existing in our universities before the public, even this we hold to be a material improvement. We are far from thinking that our Colleges are hotbeds of abuse; but we are firmly convinced, that whatever makes their defects better known, and gives additional publicity to their administration, is a public good. A correspondent has favoured us with a printed account of the meeting, held on Monday the 31st of July, which we have slightly abridged.

On Monday, 31st July 1826, Sir James M'Grigor, M. D. Lord Rector of the University and Marischal College of Aberdeen, held a *Rectorial Court* within the public hall of the University, and was attended by Major Leith Hay. Robert Abercrombie, and Alexander Bannerman, Esqrs as his assessors.

The only notice given of this Court was the following paper affixed to the College gate.—

Aberdeen, July 28, 1826.

"I hereby appoint a Rectorial Court to be held in Marischal College, on Monday next, at twelve o'clock noon.

(Signed) "JAS. M'GRIGOR, Rector."

But although the small piece of paper on which this was written was not recognized until Saturday evening, a numerous and respectable body of gentlemen, among which were a considerable proportion of students appeared in the hall. A few minutes past twelve, the Rector, in his official gown, preceded by the sacrist bearing the mace, entered the hall, and was received by the Court in the most respectful maner. His Lordship was immediately followed by his assessors, and by Alex. Thomson. Esq. of Banchory, Dean of Faculty, and by the Very Reverend Principal Brown, Dr. Hamilton, the Reverend Dr. Kidd, the Reverend Dr. Glennie, Dr. Knight, Dr. Davidson, Professor Cruickshank, and Dr. Skene. The Very Reverend Principal Brown having constituted the Court by an appropriate prayer, Professor Cruickshank read over the minute of the election of the Rector and his Assessors, which took place on the 1st of March, last

The Lord rector then called over the names of the Assessors, and appointed Duncan Davidson, Esq. Clerk of the Court. His Lordship said, that unaccustomed as he was to speak in public, he begged the indulgence of the Court to read an address: the substance of which follows;—

On being appointed to the important office he now held, he regretted that the official duties of his station had prevented him from paying an earlier visit to this College; but he could say with sincerity, that since the first moment of his connection with it in his present capacity, he had not ceased, in conjunction with the Chancellor, to forward its interests in London. He was sensible of the disadvantage under which he laboured in coming after the distinguished gentleman who lately held the office of Rector; but in whatever other respects he might be his inferior, he would yield to none in devotion to the interests of his Alma Mater. From the day he left these walls, he had not failed to cherish a warm attachment to all who had been connected with the College, both at home and abroad. In proof of what he had now stated, he could appeal to what was within the knowledge of many now present. Much as had been done for the improvement of this College by the late regulations regarding the method of conferring degrees, and other parts of the internal constitution of the College, which had done honour to the Senatus Academicus, and placed this seminary on a footing inferior to none and superior to many other Universities;—he was convinced that much still remained to be accomplished. Reforms, at first sight, always appeared specious; but we had been often deceived by supposing that when there was merely change there was improvement. Reforms, founded only on speculation, are therefore not to be rashly undertaken, and that especially when applied to established and venerable structures. He did not mean by this to be understood as avowing that antiquity sanctions error or abuse; while improvements are daily made in the constitution and management of other seminaries we are not to stand still, but ought to strive the rather to keep pace with them. While the public have a right to expect improvements; while the government of the country shows a strong disposition to cooperate; while new schools are rising among us, ancient establishments ought not to be behind in advancing the interests of education. He was well aware that several improvements had been already introduced into Marischal College particularly during the last century; in 1754 the plan of education had been modeled on principles which had called forth very general approbation.—Again, in 1804-5, there had been other and important improvements introduced, and he had every reason to believe were progressively introducing. For many years the professors of this College had been esteemed and respected in all places where learning and erudition were known and appreciated. In languages, in philosophy, both natural and moral, we have had many able and distinguished scholars who have been translated to Edinburgh, where they have attained the highest reputation. If these Universities could boast of a Hutchinson, a Black, a Smith, a Stewart, and other illustrious names, we could as justly boast of our Gregory, Maclaurin, Blackwell, Campbell, Gerard and Baittie. Desirous as the professors were to introduce into the system of management and discipline any improvement which they had reason to believe would be a real advantage, and desirous as we all are to the welfare of the College, he was confident the students would yield themselves in this matter to the judgment of their power. Nothing was more necessary to the rendering any mode of instruction effectual than the maintaining of discipline and subordination; he would therefore, in the most particular manner, inculcate on the students while they were solicitous about other matters, not to neglect this. From the absence of so great a number of the younger students, he would advert merely to the advantages they enjoyed studying here, and the necessity of employing their private as well as their public time in the prosecution of their studies. He recommended the utmost attention to classical literature, and advised them not to be led away by the present fashion of decrying it; and he affirmed, that were the study of Greek and Latin neglected, the age of barbarism might be expected to return. He then quoted what Mr. Brougham had stated in his address to the students of the University of Glasgow, "That the study of the Greek language was the best source whence a good taste in English composition could be formed." It appeared to him that several circumstances would be attended with advantage, did they form a part of the regular business of the Rectorial Court; and, first, the state of the library, presenting a report of the following particulars:—1st, The number of volumes at the commencement of the year. 2d, The number of volumes since added. 3d, The number of volumes lost. And, 4th, the number torn or otherwise damaged. Second the same of the antiquities and natural history of the museum. Third, the same of the philosophical apparatus. Fourth the same of the astronomical instruments and observatory. And fifth, the same of the divinity library. Were an annual report of the state in which these were found to be publicly made at the Rectorial Court, although at first it would be attended with some trouble, there would be more security for the safety of the property of the College, and greater reason to hope for an accession of benefactions. While he recommended this course, he by no means would reflect upon the conduct of the Professors to whose care the various collections he adverted to were committed. Since his arrival

here, he had had an opportunity of examining almost all of them, and he now bore testimony to the skill and attention of Dr. Davidson in the department of the museum, of Dr. Knight in the philosophical apparatus, and Mr. Cruickshank in the Observatory and astronomical instruments. He would also suggest the necessity of having a permanent librarian, who might attend daily, a curator of the museum, and a printed catalogue of the books; and he hoped the Royal Commissioners would attend to these matters when they gave in their report. In conclusion, to these and other representations he had made to the Professors, they had bestowed the most ready attention and he had been highly gratified by the kind reception of his suggestions by the reverend and learned Professors.

(Applause)—which his Lordship interrupted, and said, the audience would oblige him by refraining from expressions either of approbation or disapprobation.)

His Lordship then declared this to be an open court, and a court of record, which it had escaped him to do at the commencement; and he now invited those who had any particular business to come forward.

Principal Brown—My Lord, I beg leave to lay before you the protest of the Principal and Professors of this College against the last rectorial court, on account of the irregularity of its proceedings, and the incorrectness of the record of them which the late Lord Rector left behind him.

Mr. Bannerman—I do not wish to take up the time of the court by making any remarks upon this protest; but I think the reasons for the protest should be given.

Mr. Cruickshank—We are ready.

James Forbes, junior, A. M. begged leave on the part of the Graduates of Marischal College, to oppose the reception of any protest which might tend to invalidate the proceedings at last rectorial court, as these proceedings materially affected the interests of the Graduates.

Principal Brown—The Senatus never acknowledged any such body as the Committee of Graduates. A meeting was called of these gentlemen, who elected themselves into a committee to represent the whole of the graduates of the College, who are scattered up and down through the four quarters of the globe. The Senatus never did acknowledge such a committee as a corporate body, and they never will acknowledge them as such until they produce a deed constituting them the representatives of the graduates.

Mr. Forbes stated, that the meeting referred to was called by public advertisement, when all who could attend were present. His Lordship was well aware that no meeting could be held of *all* the graduates; and he conceived that the appointment of a public meeting was a sufficient warrant for a committee to act as its representatives. The meeting was called in consequence of certain regulations passed by the Senatus, which affected the interest of the graduates and the only course, they could follow, was to elect a committee, to watch over their interests, and to take such steps as would lead to a repeal of these regulations.

Principal Brown—Mr. Forbes can in no shape be heard. He, as well as all the other graduates, by their leaving the University, have abandoned all right to interfere with its affairs; they have no connexion with it; they are absolved from their allegiance.

The Dean of faculty said, that in no University were the graduates considered members, or possessed any privileges.

Mr. Forbes.—These gentlemen call our rights in question; I also question theirs! and now call upon them to show any part of the Foundation Charter which recognises any such body as the Senatus Academicus.

(Thundering applause)—when Principal Brown requested the Rector to make the spectators keep back; the intense interest which this contest excited having produced a general rush forward to the table round which the Professors were sitting; and his Lordship declared that if the commotion continued, he should be obliged to dismiss the Court.)

Major Leith Hay observed, that this was not time or place to enter into this discussion. It would be the easiest way for the Court to receive the protest of the Principal and Professors, as also the memorial of the graduates.

The Lord Rector wished to see the memorial of the graduates.

Mr. Forbes said, he wished to preface the memorial which he held in his hand, by narrating the circumstances under which it was drawn up. At the last Rectorial Court, Mr. Hume had informed the graduates that no evidence could be admitted in substantiation of their claims but those of a documentary kind; he also assured them, that any inquiries they wished to make would be readily answered; and that such papers as were necessary for the establishment of their claims would be readily furnished by the Professors, in which sentiment these gentlemen acquiesced. Proceeding upon these assurances, the graduates had addressed a series of letters to the Principal and Professors, on the subject of the publication of the charter, couched in the most respectful terms, and, he regretted to state, that to this day, every one of these remained unanswered.

Principal Brown.—We protest against that Court. We have no official knowledge regarding any such Court. We do not acknowledge any such body as the Committee of Graduates. There is no such body recognised as belonging to any other College. It would go to the utter subversion of all order and subordination. It would lead to the most pernicious consequences.

Mr. Forbes.—Certain Professors did attend that Rectorial Court—in what capacity did they attend?

Mr. Bannerman.—As one of the assessors of last Rectorial Court, I can declare that some of the Professors did attend that court.

Mr. Cruickshank.—Those who came did so as spectators.

Principal Brown.—This court is a court of appeal, and it is necessary that any case brought forward here should have been first rejected by the Senatus.

Mr. Forbes observed, that the total disregard which had been shown to all the applications of the Graduates surely amounted to a rejection; and he put it to his lordship whether, in common courtesy, they did not deserve some answer.

The Lord Rector agreed; when Mr. Forbes handed in the memorial. His Lordship, after looking it over and delivering it to one or two of the assessors, declared he saw nothing which prevented it from being read.

During the pause which here took place, the reasons for the protest of the Principal and Professors were given in writing.

The Dean of Faculty—I enter a double protest against the memorial of the Graduates being read;—First, because the Graduates are not recognised as a body by any University in Scotland; and, secondly, because no notice has been given of the appeal to this court.

The Lord Rector, deliberating a short time with his assessors, handed the memorial to the clerk of the court to be read.

TO THE HON. THE RECTOR OF MARISCHAL COLLEGE.

May it please your Lordship.

At the Rectorial Court held in Marischal College, in the month of November last, certain claims were submitted by a committee appointed at a general meeting of the Graduates of the University, desiring to have the use of the books in the library, without the lodging of any deposite; to be entitled to vote at the election of Chancellor and Rector; and to be fully recognised as members of the University.

The court that time did not consider that the Graduates had produced sufficient evidence in support of their claims and therefore recommended to them to make further inquiries on the subject, and to submit the result of their investigation to the Principal and Professors. From what passed at the last Rectorial Court, they were led to believe that every facility would be afforded to them by the Professors in investigating their claims; but they are sorry to be obliged to state to your lordship, that although the committee have repeatedly applied to the Professors, in the most respectful terms for copies of the College charter, and for an inspection of all other of the College records (which your lordship will readily perceive were absolutely necessary for the case of the Graduates), every one of these communications yet remain unanswered.

From this circumstance, and from the short notice which has been given of this court, the committee have been unable to bring their case fully before your lordship; and they now come forward merely that their claim may not be considered as departed from; and in the hope that your lordship will order the immediate publication of the charter, and other foundations of the College, according to the pledge given by the Professors at the last sitting of the Rectorial Court.

Signed in name by appointment of the committee of Graduates,

JAS. FORBES, Jun. *Sec.*

Mr. Cruickshank stated, that the Professors had all along expressed their intention to publish the charter.

Mr. Forbes, in reply, observed, he was sorry to say, that from the tenor of a communication he had received from that gentleman in the month of February, compared with what he had just now stated, there seemed an appearance of equivocation. In that letter he mentioned his having no official communication to make on the subject of the charter, nor did he conceive any would be made.

Principal Brown.—There was no pledge given by the Senatus.

Alexander Kilgour, A. M.—I have had an opportunity of consulting the foundation charter, and I find that no such body as the Senatus Academicus is there recognised.

Mr. Cruickshank would thank Mr. Forbes to produce the letter on which he grounded his charge of equivocation.

Mr. Forbes, It is forthcoming Sir.

The Dean of Faculty here insisted upon the letter being produced immediately; when Mr. Forbes found he had neglected to bring it with him—having only arrived in town two hours before the meeting of the court.

Principal Brown—The memorial claims for the Graduates a right to elect the Chancellor, which, it is well known, none have any thing to do with but the Principal and Professors.

Mr. Forbes—The Graduates only claim the right of voting at the election of Chancellor.

The Lord Rector—I must waive the discussion of that point.

Mr. Bannerman would just notice one point in the memorial. The graduates had applied for an inspection of "*all the College Records*," besides the Foundation Charter. He thought *this* was demanding too much.

Mr. Forbes said, that every application which the Committee had made to the Professors was in the most respectful and courteous terms; and they had uniformly been treated, on their part, with supercilious contempt.

Dr. Knight called for temperate language.

Principal Brown conceived that Mr. Hume, in recognising the graduates at last Rectorial Court, had gone completely into error—(hemming and coughing in the Court); he had been mistaken, there was no pledge given by the Senatus.

Mr. Forbes, in reply, observed that the late Lord Rector was of a different opinion, so that in this matter the Rev. Principal and he were at variance with each other, and that he would leave them to settle the matter between them.

Principal Brown.—It may be so—I don't know.

Mr. Forbes then read the following letter he had received from Mr. Hume, on the subject of the pledge of the Professors to publish the Charter:—

London, March, 25, 1826.

"SIR,—I regret that your letters should have been so long unanswered, but the pressure of public business has prevented my giving that attention to them which they require. I have perused with attention the correspondence that has passed between the committee of graduates and Professor Cruickshank, respecting the production of a copy of the foundation charter of Marischal College, and I think you have acted very properly, and consistently with my recommendation.

"I consider that the Senatus ought to have furnished you with the copy *on the pledge given by those of the Professors who where present in the Rectorial Court on the 14th November last:* And I also consider that the Senatus as a body agreed not only to produce a copy, but to publish it for the information of the students: and although no minute was taken at that time (the 12th November), I cannot suppose that so respectable a body as were then assembled, will violate the understanding then so clearly come to in my presence, as the commencement of a new and more pleasant order of proceedings towards the students. I request, therefore, that you will forward the inclosed letter to the senatus Academicus before you take any further steps towards the establishing of what are, or are not, the rights of the graduates and students.

"As I no longer have the honour of being Rector, I can only in courtesy request what I might otherwise have enforced; but I shall consider myself bound to aid you, by every means in my power, to obtain what was agreed to be done.

"I remain, your obedient servant,

(Signed) "JOSEPH HUME.

"Mr. James Forbes, jun. Secretary to the Graduates, Aberdeen,"

He read also a letter from Mr. Hume to the Principal and Professors, transmitted through him to these gentlemen.

"*London March* 25, 1826.

"DEAR SIR,—The committee of graduates of Marischal College have applied to know whether a pledge was not given by yourself and other Professors present at the Rectorial Court, on the 14th November last, to publish the foundation charter of the College, and I have to inform them, that I not only consider yourself and Dr. Skene, and other professors present, as consenting to do so but I request you will do me the favour of submitting to the Senatus Academicus, whether, on the 12th November, when I took the oath as Rector, the propriety of giving publicity to the charter was not fully discussed; and whether it was not so agreed to by the Senatus at that time. And I think you will recollect that I stated at the Rectorial Court, when the subject was proposed, that it had been so conceded by the Senatus.

"I am aware I have only the right of appealing to the candour and good faith of the Senatus, but as I acted under the impression I have stated, I hope you will express to the Senatus my anxiety to see the agreement then come to carried into effect, as the best means of promoting harmony between the professors, graduates, and scholars, to the manifest advantages of all classes.

"I have the honour to remain,
your obedient servant.

(Signed) "JOSEPH HUME.

"To Professor Cruickshank, Secretary to the Senatus of Marischal College."

Dr. Skene rose to say, that being mentioned in one of the letters which had now been read, he felt himself called on to state, that he understood at the meeting of the Senatus which took place two days prior to the rectorial court, that the Senatus had consented to publish the charter, although they had not in direct terms pledged themselves. It had never been the wish of the professors to conceal the charter. They were as ignorant on many of the points in dispute, and as desirous of information as the graduates. He could also inform the court that the charter was now in the press, and might be purchased in a few days at the shops of the book sellers.

Principal Brown—Individuals may have promised the charter. I never did. As a body, the Senatus have nothing to do with that pledge.

Mr. Forbes wished to know in what capacity the Professors attended last rectorial court.

Mr. Cruickshank—They attended merely as spectators.

Mr. Forbes stated, that as the Senatus Academicus had been frequently mentioned as a constituted court in the course of this debate, he felt it a duty on the part of the graduates to take a formal protest, as he now did, against this court receiving these gentlemen in any such corporate capacity.

The Dean of Faculty—The court has existed for two hundred years, and therefore must now be a corporate body by prescription.

Mr. Forbes, in reply, observed, that in former royal visitations the Commissioners were particularly directed to adhere to the regulations laid down by the original foundation charters of universities, and to pay no attention whatever to any innovation, however sanctioned by inveterate usage, or confirmed by any other authority; and in support of what he stated, he referred to a royal visitation of King's College when, on the production of a new charter, confirmed by Parliament, which they alleged was the only charter then in existence, the court adjourned till next day, in order that the original foundation charter of the University, which they demanded, might be forthcoming by the Professors.

The Lord Rector—There is no question as to the existence of the Senatus. Such a body has from time immemorial existed in every university.

Principal Brown—Or, as it has sometimes been called the Faculty.

At the suggestion of the Lord Rector, Mr. Forbes here expressed his willingness to retract the term equivocation which he applied in speaking of Mr. Cruickshank.

Principal Brown—produced a written protest, in his own name, against part of the proceedings of the late rectorial court; he begged leave to read it himself, as there were several interlineations. The protest was in substance as follows;—The Principal of Marischal College was endued with power to examine and decide on all complaints brought against the other Professors in the first instance. He had also a power, by which, after three admonitions, he could deprive such of them as he found deficient in the administration of their duties of the office they held, with the concurrence of the Lord Rector and Dean of Faculty. The Rectorial Court could, therefore, hear no case in the first instance; and the holding of such a court was a direct interference with his rights and duties.

Mr. Forbes complained of the late Regulations introduced by the Professors regarding the access to the library. One of these Regulations required the *deposit of a pound for each volume taken out by the students*, although no such regulations formerly existed; and he would put it to his lordship, whether such a regulation was not an unnecessary and vexatious restriction on access to the library?

The Lord Rector—We cannot admit discussion upon this point.

Principal Brown—Is there any decision against this? Has the case been brought before the other courts?

The Dean of faculty—Has any notice been given of this motion?

Mr. Forbes observed, that the Principal and Professors had been already memorialized on the subject and the Graduates having received no redress, he thought it the duty of his lordship to interpose his authority in the matter.

Mr. Kilgour begged to ask if the prescription mentioned by the Dean of Faculty could invalidate a chartered right?

The Lord Rector—Is there any other subject on which the court is to be occupied?

Dr. Forbes presumed his lordship was aware that a visitation in virtue of a royal commission was soon to visit this University, to inquire into its internal management and discipline; and he would put it to his lordship whether it might not materially affect the well being of the College to have different parties carrying contradictory and conflicting memorials before that court? On this account, he would wish to impress on his lordship to use his best endeavours to promote a harmony among the different members of the University, so as to go hand in hand to procure at the instance of the commission such modifications of the constitution of the College as might tend to ameliorate its condition.

His lordship supposed the commissioners would satisfy themselves as to the best method of receiving the application that would then be made to them.

Having again enquired if there was any more business to come before the court, his lordship declared it to be adjourned *sine die*, when the apostolic benediction having been pronounced by the very Rev. Principal, the meeting separated.

We have but one or two remarks to offer on these proceedings, the account of which, it may be proper to observe, seems to have been drawn up by the students or graduates. On looking back to the report of the former rectorial court, we find that it was attended by five professors, Dr. Hamilton, Dr. Kidd, Dr. Knight Dr. Skene, Mr. Cruikshanks, and that the three last took a part in its proceedings. (See *Scotsman* of 23d November.) It was called too by regular intimation, and of course when it was held, the Professors could not be taken by surprise. Considering these circumstance, we think the Professors stand in this dilemma: Either they neglected their duty then, in suffering an illegal court to be held, and in taking a part in its proceedings; or, they are acting a captious part now in objecting to its legality, and in setting at nought the real or implied pledges given at the time. However the question of legality may stand, we think that in the circumstances of the case an answer to the memorial of the graduates, and access to the documents, was due in common courtesy. The printing of the charter was promised in November, and might surely have been accomplished in less than nine months. The Professors hold now, that the Rector's Court is merely a Court of appeal, and can hear no case in the first instance. But how did it happen that this was not discovered last year; and was not the memorial presented to the Senatus by the graduates equivalent to bringing their case before that body? If nothing but formal proceedings taken by the Senatus entitle complaining parties to carry their cases before the Lord Rector, then the Senatus have a very easy method of excluding such parties from the Rector's jurisdiction—by passing over the case in silence.

We observe that the graduates' committee of Marischal College are abut to publish "a full and accurate account of the constitution and nature of the Universities in Scotland, their courts and jurisdictions; together with the privileges and immunities pertaining to the individual members thereof." The work will be very seasonable; but it should be kept within a small compass, and sold at as low a price as possible.—*The Scotsman, Aug.* 23.

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